



City of Fall River Massachusetts

Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

REGULAR MEETING OF THE CITY COUNCIL

INÊS LEITE
ASSISTANT CITY CLERK

MEETING: Tuesday, November 17, 2020 at 7:00 p.m.
Zoom (Virtual Meeting Application) pursuant to the Governor's Declaration of State of Emergency due to the Coronavirus (COVID-19) pandemic

PRESENT: President Cliff Ponte, presiding;
Councilors Shawn E. Cadime, Michelle M. Dionne,
Bradford L. Kilby, Pam Laliberte-Lebeau, Trott Lee,
Christopher M. Peckham, Leo O. Pelletier and Linda M. Pereira

ABSENT: None

IN ATTENDANCE: None

President Cliff Ponte called the meeting to order at 7:00 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

PRIORITY MATTERS

1. Mayor and order to reduce \$1,000,000.00 from the School Transportation Appropriation thereby reducing the Annual Budget for FY 2021

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas to adopt the order.

2. Mayor and order appropriating \$1,194,155.00 from the increase in Cherry Sheet State Aid to the following:

Education – All Other	\$ 50,738.00
Insurance	\$ 63,313.00
State and County Assessments	\$ 1,080,104.00

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was voted 9 yeas to adopt the order.

3. Mayor and order appropriating \$250,000.00 from the General Fund FY20 Surplus Revenue (Free Cash) to the Capital Project Fund for police vehicles

Councilor Michelle M. Dionne asked if the vehicles are currently on order. The Director of Financial Services stated that these vehicles are already on order and were submitted to be funded by the CARES Act, unfortunately the Federal Government does not allow these funds to be used for the purchase of vehicles. She then stated that the regulations do allow for the leasing of vehicles, but the City did not want to lease police vehicles. Councilor Michelle M. Dionne then stated that these discussions should have occurred prior to the purchase of the police vehicles. Councilor Christopher M. Peckham asked how many vehicles will be purchased with the \$250,000.00. The Director of Financial Services stated that five vehicles will be purchased. Councilor Bradford L. Kilby stated that five police vehicles are very significant to the Police Department. Councilor Trott

Lee stated that he fully supports public safety. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas to adopt the order.

4. Mayor and orders as follows:

- a. An Act relative to the abolishment of the Board of Police
- b. An Act relative to the abolishment of the Board of Fire Commissioners

A motion was made by Councilor Bradford L. Kilby and seconded by Councilor Trott Lee to refer both items a. and b. to the Committee on Ordinances and Legislation. Councilor Linda M. Pereira stated that one of the first resolutions that she filed was to review all boards and commissions and the resolution was referred to Corporation Counsel. She then stated that she believed that the recommendations from Corporation Counsel would be discussed further in the Committee on Ordinances and Legislation. Councilor Christopher M. Peckham stated that he would like to see this matter referred to the Committee on Public Safety for further discussion. Councilor Michelle M. Dionne asked if anyone had spoken to either the Chief of Police or the Fire Chief regarding this matter. Councilor Linda M. Pereira stated that she has spoken to both the Chief of Police and the Fire Chief and both stated that these boards are now primarily ceremonial and have not convened a meeting in a very long time. Councilor Shawn E. Cadime stated that Corporation Counsel has already vetted this matter with the proper individuals. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was voted 9 yeas to adopt both items a. and b. and send a letter to the Mayor and the Chair of the Public Safety Committee to work on the possible establishment of boards or commissions that would have a different scope of responsibilities to oversee both the Police and Fire Departments (copy of said letter is attached hereto and made a part of these minutes).

Approved, November 18, 2020, Paul E. Coogan, Mayor

5. City Assessor and orders for the establishment of the Fiscal Year 2021 tax factor and tax levy.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was voted 9 yeas to adopt the order for a tax shift at 1.75.

Approved, November 18, 2020, Paul E. Coogan, Mayor

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas to waive the reading of the following order for the tax levy. On a further motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was voted 9 yeas, to adopt the order for the tax levy.

Approved, November 18, 2020, Paul E. Coogan, Mayor

PRIORITY COMMUNICATIONS

6. Traffic Commission recommending amendments to traffic ordinances

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was voted 9 yeas to refer the matter to the Committee on Ordinances and Legislation.

7. Communication from Councilor Trott Lee to Governor Charles D. Baker regarding the COVID-19 Order No. 54

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was voted 8 yeas that the communication be accepted and placed on file, with Councilor Trott Lee abstaining.

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

8. Committee on Finance convene to determine response to Governor's COVID-19 Order No. 54 advocating for the balance of financial preservation and public safety measures
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was voted 6 yeas, 3 nays that the resolution be granted leave to withdraw, with Councilors Trott Lee, Christopher M. Peckham and President Cliff Ponte voting in the negative.

CITATIONS

9. Veterans of Foreign War Post 486 in celebration of their 100th Anniversary
Councilor Linda M. Pereira stated that she will attend their next meeting and present the citation. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas to adopt the citation.

ORDERS – HEARINGS

Auto Repair Shop License:

10. Charbel Sarkis, 2 Fisherman Road, Fairhaven, MA, d/b/a R & M Auto Service, for a license to operate an auto repair shop at 703 Brayton Avenue
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was voted 9 yeas to adopt the order.
Approved, November 18, 2020, Paul E. Coogan, Mayor

ORDERS – MISCELLANEOUS

11. Police Chief's report on licenses:

2020 Taxicab Drivers:

Carol DeMelo Charles R. Phifer

2021 Taxicab Drivers:

Thomas Andrade Robert M. Collins Jr. Gilbert W. Correia Carol DeMelo
Charles R. Phifer Delores Socall Walter Woods

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas to adopt the order.

12. Revocation of permit for the storage of inflammables (removal of tanks):

Genlyte Group Incorporated – 631 Airport Road

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas to adopt the order.

Approved, November 18, 2020, Paul E. Coogan, Mayor

13. Auto Repair Shop License Renewals:

Tiago Botelho d/b/a Mill City Diesel Auto Repair and Sales at 1139 Slade Street

Manuel Felix d/b/a Felix Auto Collision Center at 1201 Slade Street

Luis Pimentel, L and S Auto, Inc. at 1138 Pleasant Street

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Christopher M. Peckham, it was voted 8 yeas to adopt the order, with Councilor Pam Laliberte-Lebeau absent and not voting.

Approved, November 18, 2020, Paul E. Coogan, Mayor

14. Auto Body Shop License Renewals:

Steve Melo, Choice Collision Center, Inc. at 645 Brayton Avenue

Joseph Silva d/b/a Supreme Auto at 421 Third Street

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Leo O. Pelletier, it was voted 9 yeas to adopt the order.

Approved, November 18, 2020, Paul E. Coogan, Mayor

COMMUNICATIONS – INVITATIONS – PETITIONS

15. Claims

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas to refer the claims to Corporation Counsel.

16. Drainlayer License – R.J. Messina, Inc.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was voted 9 yeas to approve the drainlayer license.

Approved, November 18, 2020, Paul E. Coogan, Mayor

Planning Board Minutes

17. October 19, 2020 meeting

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Trott Lee, it was voted 9 yeas that the minutes be accepted and placed on file.

City Council Meeting Minutes:

18. Regular Meeting of the City Council – October 27, 2020

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas to approve the minutes.

19. Communication from Collin Dias re: use of funding at Veterans Association of Bristol County

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas that the communication be accepted and placed on file.

20. Open Meeting Law Complaint from Collin Dias re: alleged violation by City Council Committee on Finance on October 27, 2020

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas to refer the matter to Corporation Counsel.

21. Open Meeting Law Complaint from Patrick Higgins re: alleged violation by City Council President on October 27, 2020

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Michelle M. Dionne, it was voted 9 yeas to refer the matter to Corporation Counsel.

BULLETINS – NEWSLETTERS – NOTICES – None

TABLED MATTERS

5a. Mayor requesting the confirmation of the reappointment of Christopher Antao

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was voted 9 yeas to lift the matter from the table. Councilor Bradford L. Kilby stated that at the previous City Council Meeting there was a question regarding Mr. Antao's residence. He then stated that, after researching the matter, it was confirmed that Mr. Antao is a resident of the City of

Fall River. On a further motion made by Councilor Michelle M. Dionne and seconded by Councilor Linda M. Pereira, it was voted 9 yeas to confirm the appointment.

Councilor Leo O. Pelletier left the meeting at 8:09 p.m.

5b. Mayor requesting the confirmation of the reappointment of Donna A. Valente
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was voted 8 yeas to lift the matter from the table, with Councilor Leo O. Pelletier absent and not voting. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was voted 8 yeas to confirm the appointment, with Councilor Leo O. Pelletier absent and not voting.

10a. Orders for public hearings to be scheduled for street acceptances as follows:
a. Barrows Street, extending from South Main Street to Andrews Street
b. Chestnut Hill Drive, Extending from North Main Street to a dead end
c. Estes Lane, extending from Lark Street to (old) Lower Stafford Road

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was voted 8 yeas to amend the orders to read December 15, 2020 and adopt the orders, as amended, with Councilor Leo O. Pelletier absent and not voting.

ITEMS FILED AFTER THE AGENDA DEADLINE:
CITY COUNCIL MEETING DATE: NOVEMBER 17, 2020

PRIORITY COMMUNICATIONS

7a. Planning Board re: request for release of right, title and interest in a portion of the unaccepted paper street known as Center Street extending from South Beacon Street westerly for a distance of 445.48 feet (opposition).

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was voted 8 yeas to refer the matter to Corporation Counsel, with Councilor Leo O. Pelletier absent and not voting.

COMMUNICATIONS – INVITATIONS – PETITIONS

21a. Communication and petitions from city residents requesting denial of request to the Zoning Board of Appeals from JH Holdings Group, LLC for a variance to allow construction of a 63-unit apartment complex on Mariano S. Bishop Boulevard and August Street.

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Trott Lee, it was voted 8 yeas that the communication be accepted and placed on file with Councilor Leo O. Pelletier absent and not voting. On a further motion made by Councilor Michelle M. Dionne and seconded by Councilor Bradford L. Kilby, it was voted 8 yeas to send a letter to the Zoning Board of Appeals, a copy of which is attached hereto and made a part of these minutes, in opposition to the request for a variance to allow construction of a 63-unit apartment complex on Mariano S. Bishop Boulevard and August Street, with Councilor Leo O. Pelletier absent and not voting.

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Michelle M. Dionne, it was voted 8 yeas to adjourn at 8:26 p.m., with Councilor Leo O. Pelletier absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

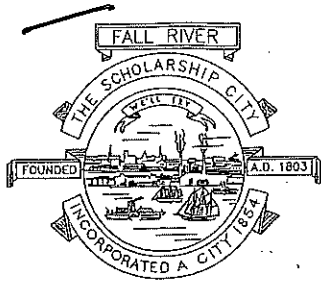
DVD of meeting

A true copy. Attest:

City Clerk

In City Council, January 29, 2021

Approved, 9 yeas



City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

November 18, 2020

Zoning Board of Appeals
One Government Center
Fall River, MA 02722

Dear Honorable Board Members:

At a meeting of the City Council held on Tuesday, November 17, 2020, it was voted 8 yeas, to send a letter to your honorable board in opposition of item #6 on your agenda for the meeting scheduled for Thursday, November 19, 2020. The petition is for JH Holdings Group, LLC, Mariano S. Bishop Boulevard and August Street, Assessors Lots C-16-1, 23, 82, 86-88, for a variance request to allow construction of a 63-unit apartment complex consisting of seven (7) 9-unit buildings waiving requirements in the [R-8] District; as well as a request for a Special Permit to allow parking to be provided at the rate of 1.5 spaces per unit.

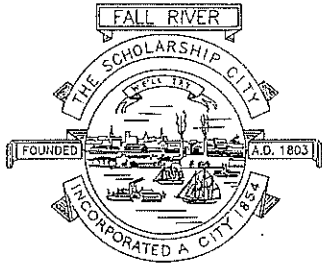
Members of the City Council have been contacted by numerous residents of this neighborhood regarding this petition. This neighborhood suffers from various flooding problems, which are still ongoing, as well as the increased traffic, parking issues and odors due to the Northeast Alternatives Marijuana Dispensary located at 999 William S. Canning Boulevard. The construction of such a large complex would only intensify the flooding issues and negatively impact the neighborhood.

Please consider denying this request to respect the integrity of this single family neighborhood and read this letter into the minutes of the meeting. Should this request be denied and the petitioner files a new request in the near future, please notify the City Council so they are aware of the changes being requested in the neighborhood. Thank you for your consideration of this request.

Sincerely,

Alison M. Bouchard
City Clerk

/ct



City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

November 23, 2020

Honorable Paul E. Coogan
Mayor
City of Fall River
One Government Center
Fall River, MA 02722

City Councilor Christopher Peckham, Chair
Committee on Public Safety
City of Fall River
One Government Center
Fall River, MA 02722

Dear Mayor Coogan and Chairman Peckham,

At a meeting of the City Council held on Tuesday, November 17, 2020, it was voted 9 yeas, to send this letter requesting that a meeting be convened to best determine how to provide oversight of both the Police and Fire Departments. This request is the result of the Special Acts that were submitted for the City Council's consideration, and adopted, 9 yeas, at the same meeting, to request the abolishment of the Board of Police and the Board of Fire Commissioners. These boards have been inactive for several years.

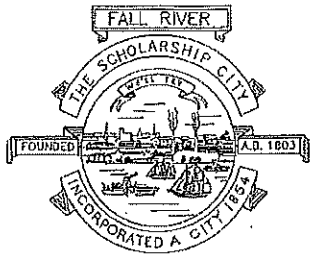
Since the current boards were mainly ceremonial, the City Council looks forward to the possibility of the establishment of boards or commissions that would have a different scope of responsibilities to oversee both the Police and Fire Departments.

Thank you for your consideration of this request.

Sincerely,

Inês Leite
Assistant City Clerk

/ct



City of Fall River Massachusetts
Office of the City Clerk

RECEIVED

2020 NOV 16 P 12:53

CITY CLERK _____
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

ORIGINAL POSTING: NOVEMBER 13, 2020 AT 1:58 P.M.

INÊS LEITE
ASSISTANT CITY CLERK

MEETINGS SCHEDULED
VIRTUAL MEETINGS

Meetings will be available for viewing on Comcast Cable Channel 18 in Fall River or the following websites: Fall River Government Television - www.frgtv.fredtv.us/live; Facebook - www.facebook.com/frgtv/live; Livestream - <https://livestream.com/accounts/12896038>

TUESDAY, NOVEMBER 17, 2020
REVISED AGENDA

All persons interested and wishing to be heard at the public hearings must submit written comments by letter addressed to City Clerk, One Government Center, Fall River, MA 02722 or email to city_council@fallriverma.org. Comments must be received by Tuesday, November 17, 2020 at 3:00 p.m. to be read at the meeting.

5:55 PUBLIC HEARINGS
Auto Repair Shop License

1. Charbel Sarkis, 2 Fisherman Road, Fairhaven, MA 02719, d/b/a R & M Auto Service, for a license to operate an auto repair shop at 703 Brayton Avenue, on Lot F-7-0013, 14, 28 and 29 Assessors Plan.

Tax Classification

2. Adoption of the percentage of the local tax levy to be borne by each class of property for Fiscal Year 2021.

6:00 P.M. COMMITTEE ON FINANCE MEETING

1. Citizen Input
Due to the COVID-19 Essential Services Advisory, citizen input must be submitted by email to city_council@fallriverma.org by Tuesday, November 17, 2020 at 3:00 p.m. to be read at the meeting.
2. *Fiscal Year 2021 – Quarter 1 Budget Report (referred 10-27-20)
3. *Transfers and appropriations (see Items 1, 2 and 3 below)

7:00 P.M. REGULAR MEETING OF THE CITY COUNCIL (OR IMMEDIATELY FOLLOWING THE COMMITTEE ON FINANCE MEETING IF IT RUNS PAST 7:00 P.M.)

PRIORITY MATTERS

1. *Mayor and order to reduce \$1,000,000.00 from the School Transportation Appropriation thereby reducing the Annual Budget for FY 2021

ADA Coordinator: Gary P. Howayeck, Esq. 508-324-2650

One Government Center • Fall River, MA 02722
TEL 508-324-2220 • FAX 508-324-2211 • EMAIL city_clerks@fallriverma.org

2. *Mayor and order appropriating \$1,194,155.00 from the increase in Cherry Sheet State Aid to the following:

Education – All Other	\$ 50,738.00
Insurance	\$ 63,313.00
State and County Assessments	\$ 1,080,104.00
3. *Mayor and order appropriating \$250,000.00 from the General Fund FY20 Surplus Revenue (Free Cash) to the Capital Project Fund for police vehicles
4. *Mayor and orders as follows:
 - a. An Act relative to the abolishment of the Board of Police
 - b. An Act relative to the abolishment of the Board of Fire Commissioners
5. *City Assessor and orders for the establishment of the Fiscal Year 2021 tax factor and tax levy.

PRIORITY COMMUNICATIONS

6. *Traffic Commission recommending amendments to traffic ordinances
7. *Communication from Councilor Trott Lee to Governor Charles D. Baker regarding the COVID-19 Order No. 54

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

8. *Committee on Finance convene to determine response to Governor's COVID-19 Order No. 54 advocating for the balance of financial preservation and public safety measures

CITATIONS

9. Veterans of Foreign War Post 486 in celebration of their 100th Anniversary

ORDERS – HEARINGS

Auto Repair Shop License:

10. Charbel Sarkis, 2 Fisherman Road, Fairhaven, MA, d/b/a R & M Auto Service, for a license to operate an auto repair shop at 703 Brayton Avenue

ORDERS – MISCELLANEOUS

11. Police Chief's report on licenses:

2020 Taxicab Drivers:

Carol DeMelo Charles R. Phifer

2021 Taxicab Drivers:

Thomas Andrade	Robert M. Collins Jr.	Gilbert W. Correia	Carol DeMelo
Charles R. Phifer	Delores Socall	Walter Woods	

12. Revocation of permit for the storage of inflammables (removal of tanks):

*Genlyte Group Incorporated – 631 Airport Road

13. Auto Repair Shop License Renewals:

Tiago Botelho d/b/a Mill City Diesel Auto Repair and Sales at 1139 Slade Street
 Manuel Felix d/b/a Felix Auto Collision Center at 1201 Slade Street
 Luis Pimentel, L and S Auto, Inc. at 1138 Pleasant Street

14. Auto Body Shop License Renewals:

Steve Melo, Choice Collision Center, Inc. at 645 Brayton Avenue
 Joseph Silva d/b/a Supreme Auto at 421 Third Street

COMMUNICATIONS – INVITATIONS – PETITIONS

- 15. *Claims
- 16. Drainlayer License – R.J. Messina, Inc.
- Planning Board Minutes
- 17. October 19, 2020 meeting
- City Council Meeting Minutes:
- 18. *Regular Meeting of the City Council – October 27, 2020
- 19. *Communication from Collin Dias re: use of funding at Veterans Association of Bristol County
- 20. *Open Meeting Law Complaint from Collin Dias re: alleged violation by City Council Committee on Finance on October 27, 2020
- 21. *Open Meeting Law Complaint from Patrick Higgins re: alleged violation by City Council President on October 27, 2020

BULLETINS – NEWSLETTERS – NOTICES – None

TABLED MATTERS

- 5a. *Mayor requesting the confirmation of the reappointment of Christopher Antao (tabled 10-27-20)
- 5b. *Mayor requesting the confirmation of the reappointment of Donna A. Valente (tabled 10-27-20)
- 10a. Orders for public hearings to be scheduled for street acceptances as follows:
 - a. Barrows Street, extending from South Main Street to Andrews Street (tabled 8-11-20)
 - b. Chestnut Hill Drive, Extending from North Main Street to a dead end (tabled 8-11-20)
 - c. Estes Lane, extending from Lark Street to (old) Lower Stafford Road (tabled 8-11-20)


City Clerk

ITEMS FILED AFTER THE AGENDA DEADLINE:
CITY COUNCIL MEETING DATE: NOVEMBER 17, 2020

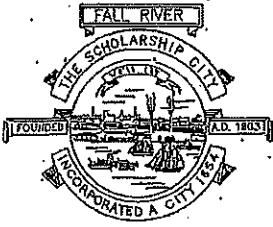
PRIORITY COMMUNICATIONS

- 7a. *Planning Board re: request for release of right, title and interest in a portion of the unaccepted paper street known as Center Street extending from South Beacon Street westerly for a distance of 445.48 feet (opposition).

COMMUNICATIONS – INVITATIONS – PETITIONS

- 21a. *Communication and petitions from city residents requesting denial of request to the Zoning Board of Appeals from JH Holdings Group, LLC for a variance to allow construction of a 63-unit apartment complex on Mariano S. Bishop Boulevard and August Street.

ADA Coordinator: Gary P. Howayeck, Esq. 508-324-2650



City of Fall River
Massachusetts
Planning Department

PAUL E. COOGAN
Mayor

WILLIAM G. KENNEY, AICP
City Planner

November 10, 2020

Hon. City Council
City of Fall River
One Government Center
Fall River, MA 02722

CITY CLERK
FALL RIVER, MA

2020 NOV 10 A 9:32

RECEIVED

Dear Councilors –

By letter dated August 28, 2020, Walter A. Furman Co., LLC, and New 180 Liberty Street, LLC, requested the City of Fall River to release all its rights, title and interest in a portion of the unaccepted paper street known as Center Street extending from South Beacon Street westerly a distance of 445.48 feet. On September 8, 2020, the City Council referred this matter to the Planning Board and asked the Board to review and submit its recommendation to the City Council. The Planning Department conducted a detailed review and, after consulting with the Engineering Department and the Department of Community Utilities, submitted a Staff Memo to the Planning Board dated November 5, 2020, a copy of which is attached for reference.

In brief, the Staff Memo recommends against the City releasing all of its rights in and to this section of Center Street because the result would be to preclude the possibility of access over this area to city-owned land to the west. On the other hand, the Staff Memo recognizes the petitioners' interest in using this land for parking and therefore suggests that it might be acceptable for the city to release some, but not all, of its rights.

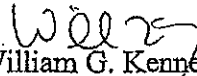
After review of the Staff Memo, and after allowing the petitioner an opportunity to be heard at the November 9, 2020; Planning Board meeting, it was unanimously voted to make the following recommendations to the City Council:

(1) The City Council should not release all of the City's rights in and to this portion of Center Street; and,

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(2) The City Council should refer this matter to the Corporation Counsel with instruction to work with the petitioner and with the Department of Community Utilities to draft a revocable license or other agreement that would accommodate the petitioners' needs while at the same time protecting the City's potential future access needs and other interests.

Respectfully submitted,


William G. Kenney, AICP
Director of Planning

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City of Fall River
Massachusetts
Planning Department

PAUL E. COOGAN
Mayor

WILLIAM G. KENNEY, AICP
City Planner

STAFF MEMO

To: Fall River Planning Board
From: Bill Kenney, Planning Director
Date: November 5, 2020
Re: Request for Release of Rights in and to a Portion of Center Street

Dear Planning Board Members:

By letter dated August 28, 2020, Walter A. Furman Co., LLC (hereinafter, "Furman") requested the City Council to relinquish the City's rights, title and interest in and to a portion of the unaccepted, paper street known as Center Street from South Beacon Street westerly a distance of 445.48. On September 8, 2020, the City Council referred this matter to the Planning Board for its opinion, specifically seeking the Board's advice whether to adopt the following proposed order:

ORDERED, that the City of Fall River does hereby relinquish any and all rights, title and interest which it may have in the unaccepted portion of the street or way known as Center Street extending from South Beacon Street westerly for a distance of 445.48.

After review and after consulting with the City's Engineering Department and with the City's Department of Public Utilities, my opinion is that the Planning Board should recommend against adoption of the proposed Order, for the following reasons:

The portion of Center Street in question is shown on the attached copy of an "Approval Not Required Plan" dated June 12, 2020, recorded with the Bristol County Fall River District Registry of Deeds in Plan Book 165, Page 26. When that plan was recorded, "New 180 Liberty Street, LLC", owned the land on the northeasterly side of Center Street. The plan includes a notation "Non-Buildable Parcel Y to be Conveyed to New 180 Liberty St LLC..." Parcel "Y" is the long, narrow strip of land along the southwesterly side of Center Street. That conveyance was subsequently made, by deed of South Beacon, LLC to New 180 Liberty Street, LLC dated July 29, 2020, recorded in Book 10184, Page 61 (copy attached). As a result, New 180 Liberty Street, LLC now holds title to both sides of the portion of Center Street running westerly from South Beacon a distance of 445.48 feet. New 180 Liberty Street LLC is believed to be the owner of the real estate occupied by Furman and is controlled by it.

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Of most importance to the City's interests, you will note that the recorded plan shows two parcels owned by the City of Fall River near the terminus of Center Street – one on the southerly side of Center Street and the other on the northerly side of Center Street. Therefore, Center Street is a potential means of access from South Beacon Street to these city-owned parcels. These parcels are a portion of the so-called "Cook Pond Outlet", a stream/ecological system that drains from Cook Pond all the way to the Taunton River.

In my opinion, it would not be prudent for the City to release all interests it may have in Center Street because by doing so it would thereby release its rights to access these City-owned parcels via Center Street should it desire to do so in the future. The Community Utilities Department notes that: (1) In the event of drainage issues arising in this portion of the "Cook Pond Outlet" stream, it is important for the City to retain the right of access for heavy equipment which it might have to bring into this area to address such issues; (2) The City has already given up its rights to a portion of Center Street (running off of Bay Street) and releasing all rights to yet another section which might be developed could result in additional drainage issues; and, (3) This area may have potential for parkland and nature walks, for which access should be retained.

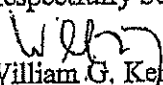
The reason for Furman's request that the city release its rights is presumed to be so that Furman could then use this area for parking of other use associated with its operations.

While, for the reasons stated, I recommend against the City releasing all of its rights, it might be reasonable to release some rights on a revocable basis to accommodate Furman and to make sure that any use of this land would be in a manner that would not preclude future City access and would not result in new drainage issues. The Community Utilities Department has suggested that, as one possible alternative, the City would retain any rights it might have but then issue a revocable license to Furman to use this portion of Center Street for purposes consistent with the present and potential future access and other needs of the city and the general public.

In conclusion, my advice to the Planning Board is to make the following recommendations to the City Council:

- (1) The City Council should not adopt the proposed Order releasing all of its rights in this portion of Center Street;
- (2) The City Council should refer this matter to the Corporation Counsel with instruction to work with Walter A. Furman Co., LLC, New 180 Liberty Street, LLC, and the Community Utilities Department to draft a revocable license or other agreement that would accommodate the petitioner's needs while at the same time protecting the City's potential future access needs and other interests.

Respectfully Submitted,


William G. Kenney, AICP
Director of Planning

COPY



2020 00012558

Bk: 10184 Pg: 61 Doc: DEED

Page: 1 of 1 07/30/2020 11:54 AM

QUITCLAIM DEED

Re: 10 Foot Strip Vacant land at South West Corner
South Beacon Street and Center Street,
Fall River, Massachusetts

SOUTH BEACON LLC, a Massachusetts limited liability company of
Swansea, Massachusetts for good and valuable consideration of
Forty Thousand Dollars (\$40,000) grants and conveys to
NEW 180 LIBERTY STREET, LLC with a usual place of business at
180 Liberty Street, Fall River, MA 02724 with QUITCLAIM
COVENANTS the land in Fall River, Bristol County, Massachusetts
with all buildings and improvements thereon bounded and
described as follows:

Beginning at a point at the southwesterly corner of the
parcel to be described thence running by land now or
formerly of the City of Fall River N 28° 55' 01" E a
distance of 10 feet, more or less to a point in the
southerly line of Center Street, an unaccepted
unconstructed street;

Thence running S 76° 47' 12" E by said Center
Street a distance of 445 feet;

Thence running S 26° 18' 38" W by South Beacon
Street a distance of 10.27 feet;

Thence running N 76° 47' 12" W by other land now or
formerly of South Beacon LLC a distance of 445.48 feet
to the point of beginning.

Containing 4,453 square feet of land, more or less.

PROPERTY ADDRESS: CENTER STREET, FALL RIVER

7a

7a

Meaning and intending to convey and hereby conveying, however otherwise the parcel may be described Parcel Y shown on plan entitled "Approval Not Required Plan Assessor's Plan H-6 Remaining Part Of Parcel 13 South Beacon and Center Streets, Fall River, Massachusetts Prepared for New 180 Liberty Street LLC Gorodetsky Engineering Scale 1"= 30' Date: June 12, 2020" recorded in Bristol (Fall River District) Registry of Deeds in Book 165, Page 26.

For Grantor's title, see Deed recorded in Bristol County (Fall River District) Registry of Deeds in Book 9486, Page 31 (See also Confirmatory Deed recorded in said Deeds in Book 9514, Page 45).

By accepting this Deed, Grantee agrees that Parcel Y is to be subject to a restriction that Parcel Y is a non-buildable lot and may only be used as a vegetative buffer. In addition, Grantor shall be entitled to a temporary construction easement for the benefit of said Lot Z during the development of Lot Z for access over, upon and across Parcel Y thereon with men, machinery, tools and equipment and further, Grantor shall have the right to install and maintain such planting and screening as may be required by the applicable permitting authorities of the City of Fall River in connection with the development of said Lot Z, so long as said vegetation provides suitable screening between said Lot Z and Grantees abutting land across from Center Street.

The Grantor hereby certifies that this conveyance does not constitute the sale of all or substantially all of the assets of the Grantor in the Commonwealth of Massachusetts.

7a

Executed as a sealed instrument by its duly authorized Manager this 29th day of July, 2020.

SOUTH BEACON LLC

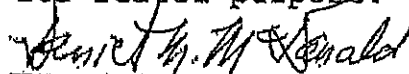
By:


Jamie Duff, Manager

Commonwealth of Massachusetts

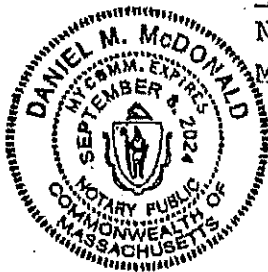
Bristol, ss.

On this 29th day of July, 2020, before me, the undersigned notary public, personally appeared JAMIE DUFF, Manager as aforesaid to me personally known, to be the persons whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.



Notary Public

My Commission Expires: 9/8/24



WALTER A. FURMAN CO.

Architectural Woodwork

RECEIVED

2020 AUG 31 A 9:04

CITY CLERK
FALL RIVER, MA

August 28, 2020

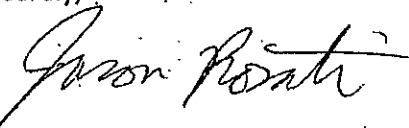
City Council
City of Fall River
One Government Center
Fall River MA 02722

Dear Honorable City Council Members:

We are herby requesting the City of Fall River to relinquish rights, title, and interest in a portion of the paper street known as Center Street. This portion of Center Street extends from South Beacon Street westerly 445.48 feet and is an unaccepted street. See attached plan. We recently purchased and were deeded a 10-foot buffer strip from a developer and currently own the property on both sides of the street.

Thank you.

Sincerely,



Jason Rosati, CFO
Walter A. Furman Co., LLC
New 180 Liberty Street, LLC

CITY OF FALL RIVER
IN CITY COUNCIL

SEP - 8 2020

*Referred to the
Planning Board*

MAP 14-6 PART OF LOT 13
LOT A AS SHOWN IN
PB 163 PG 17
N/F ATLANTIC WEST LLC

City of Fall River, *In City Council*

7a

ORDERED, that the City of Fall River does hereby relinquish any and all rights, title and interest which it may have in the unaccepted portion of the street or way known as Center Street extending from South Beacon Street westerly for a distance of 445.48 feet.

CITY OF FALL RIVER
IN CITY COUNCIL

SEP - 8 2020

Referred to the
Planning Board

21a

City Council

From: Frank D <frankb27@ymail.com>
Sent: Wednesday, November 11, 2020 9:16 PM
To: City Council
Subject: [EXTERNAL] Petition against 63 unit Apartment complex by JH Holdings Group on Mariano Bishop Blvd & August st.
Attachments: petition page 1.pdf; petition page2.pdf; petition page 3.pdf; petition page 4.pdf; petition page 5.pdf

To whom it may concern

Hello, my name is Frank Baker of 217 Whitefield st Fall River, Ma 02721. I have started a petition in opposition of building a 63 unit apartment complex by JH Holdings Group on Mariano Bishop Blvd & August st. lots c--16-1,23,82,86-8. The petition has been signed by 64 property owners/residents in the immediate area who strongly oppose the project. The resident have many concerns about this project. The destruction of natural areas is a major concern. the Environmental Protection Agency (EPA) has already been notified of our concerns with future and existing issues. Loss of neighborhood appeal is also a concern. In a neighborhood that is entirely single family homes, we feel an apartment complex is not a good fit. A property such as this will more than certainly create loss of neighborhood appeal and drive our property values down. My neighbors and i are also very concern with the increased parking issues, traffic, and increased crime a property like this will inevitably bring.

My neighbors and i respectfully request the planning board of Fall River deny the variance for this project to JH holdings Group, to build a 63 unit apartment complex on Marian Bishop Blvd & August st. and help us save our neighborhood and keep what little natural areas we have intact. Enclosed is a file with the five pages of the petition. If there is any problems with the files or you have any questions, please feel free to contact me at this e-mail. Frankb27@ymail.com or by phone 774-930-5698 Thank you for your time and consideration

21a

PETITION AGAINST 63 UNIT APARTMENT COMPLEX BY JH HOLDINGS GROUP ON MARIANO BISHOP BLVD & AUGUST ST. LOTS C-16-1,23,82,86-88

Petition summary	Citizens in the surrounding neighborhood are in opposition to the project, citing fears of destruction of natural areas, loss of neighborhood appeal and property value, heavy and dangerous traffic and increased crime.
Action petitioned for	Deny approval of variance to JH holdings to build a massive 63 unit apartment complex in a neighborhood designed for single family homes

We the undersigned, respectfully request the planning board of Fall River, Massachusetts deny the above mentioned project to JH Holdings Group to help save our neighborhood.



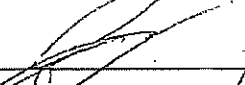
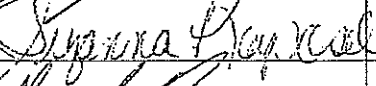
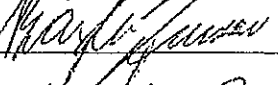
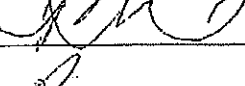
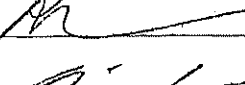

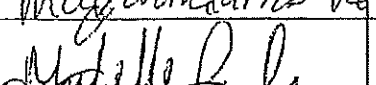


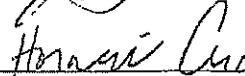

Printed name	Signature	Address	Date
Jannell Correia	Jannell Correia	974-930-5116 948 Mariano Bishop Blvd	11-8-20
Carlos Acevedo	Carlos Acevedo	974-483-1547 948 Mariano Bishop Blvd	11-8-20
DAVID SOUSA	David Sousa	145 Whitefield St.	11-8-20
Megan DeSousa	Megan DeSousa	79 Frederick St	11-8-20
McKenzie DeSousa	McKenzie DeSousa	79 Frederick St	11-8-20
JOSE CORREIA	Jose Correia	54 WHITEFIELD ST	11/8/20
PETER SILVA	Peter Silva	270 WHITEFIELD ST.	11/8/20
Anna Silva	Anna Silva	270 WHITEFIELD ST.	11/8/20
Joseph Pimentel	Joseph Pimentel	91 Branson St	11/8/20
Jessica Hamilton	Jessica Hamilton	69 Whitefield St	11/8/20
Shane Raposo	Shane Raposo	47 Whitefield St	11/8/20
Kelley Raposo	Kelley Raposo	47 Whitefield St	11/8/20
Kyle Cordeiro	Kyle Cordeiro	241 Whitefield St FRANA	11/11/20

**HOLDINGS GROUP ON MARIANO BISHOP BLVD & AUGUST ST.
LOTS C-16-1,23,82,86-88**

21a

Petition summary	Citizens in the surrounding neighborhood are in opposition to the project, citing fears of loss of neighborhood appeal and property value, heavy and dangerous traffic and increased crime.
Action petitioned for	Deny approval of variance to JH holdings to build a massive 63 unit apartment complex in a neighborhood designed for single family homes

We the undersigned, respectfully request the planning board of Fall River, Massachusetts deny the above mentioned project to JH Holdings Group to help save our neighborhood.

Printed name	Signature	Address	Date
M. AREBE		53 Lynwood	11/5/2020
Brian Cabral		77 Lynwood	11/7/2020
Jacob Sallar		113 Lynwood St.	11/7/2020
Suzanna Papose		1104 Lynwood St.	11/11/2020
Brandon Nasser		214 Lynwood St.	11/7/2020
Alphonso Sant		214 Lynwood St.	11/7/2020
Paul Medeiros		258 Lynwood St.	11/8/2020
Nick Cyrul J		232 Lynwood St.	11/8/2020
Magdalena Larrosa		220 Whitefield	11/08/20
Michelle Corden		241 Whitefield St FRMA	11-8-20
Claudia Sousa		145 Whitefield St. FR.	11/8/20
Rachael Picard		1106 Whitefield St. FR	11-8-20
Horacio Cordero		241 Whitefield St FRMA	11-8-20

2/a

PETITION AGAINST 63 UNIT APARTMENT COMPLEX BY JH HOLDINGS GROUP ON MARIANO BISHOP BLVD & AUGUST ST. LOTS C-16-1,23,82,86-88

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Printed name	Signature	Address	Date
<i>[Signature]</i>	<i>[Signature]</i>	<i>[Address]</i>	<i>[Date]</i>
<i>[Signature]</i>	<i>[Signature]</i>	<i>[Address]</i>	<i>[Date]</i>
<i>[Signature]</i>	<i>[Signature]</i>	<i>[Address]</i>	<i>[Date]</i>
Rick Rosendo	<i>[Signature]</i>	79 Frederick St	11-8-20
David P...	<i>[Signature]</i>	103 Bronson St	11-8-20
Michael Scandlin	<i>[Signature]</i>	69 Whitefield St 774-319 9466	11/8/20
Alicia Aguiar	<i>[Signature]</i>	205 Whitefield St	11/8/20
Tim Doherty	<i>[Signature]</i>	256 Whitefield St	11/8/2020
Deborah Doherty	<i>[Signature]</i>	256 Whitefield St	11/8/2020
Bryan Hamilton	<i>[Signature]</i>	69 Whitefield St	11/8/2020
Joseph Bostick	<i>[Signature]</i>	166 Whitefield St	11-8-2020
Angel Rosendo	<i>[Signature]</i>	79 Frederick St	11-8-20
Antonio Raposo	<i>[Signature]</i>	47 Whitefield St	11-8-20

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63/425





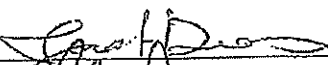
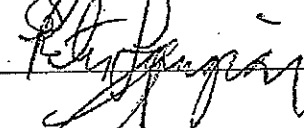
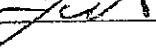
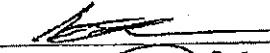
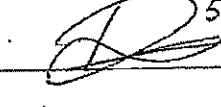
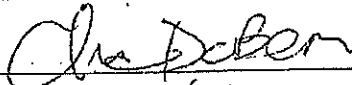
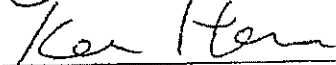

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PETITION AGAINST 63 UNIT APARTMENT COMPLEX BY JH HOLDINGS GROUP ON MARIANO BISHOP BLVD & AUGUST ST. LOTS C-16-1,23,82,86-88

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We the undersigned, respectfully request the planning board of Fall River, Massachusetts deny the above mentioned project to JH Holdings Group to help save our neighborhood.

Printed name	Signature	Address	Date
ALDEMAR MONTEIRO		64 WHITEFIELD ST.	11/8/20
Ana Monteiro		64 WHITEFIELD ST.	11/8/20
Talitha Monteiro		64 WHITEFIELD ST.	11/8/20
LILIANA DIAS		1144 MARIANO BISHOP BLVD	11/8/20
JACK DIAS		1144 MARIANO BISHOP BLVD	11/8/20
Peter Lanzisera		220 Whitefield St	11/8/20
Jori Sordiano		64 Whitefield St FL 774-322-8292	11/8/20
Steven Rodrigues		181 Whitefield St	11/8/20
Paulo Anunju	 508-243 7431	232 White field st	11/8/2020
Cynthia Dabem		45 Frederick st	11/8/20
Ken Hansen		45 Frederick st	11/8/20
Elio Dabem		45 Frederick st	11/8/2020

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42-9566



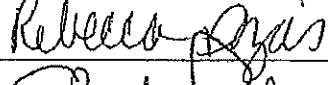
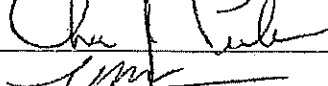
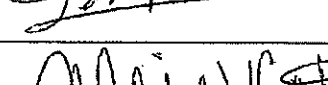
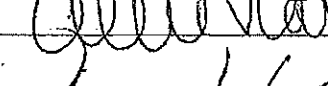
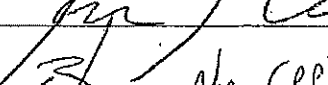
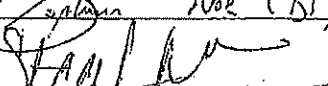
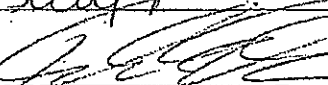
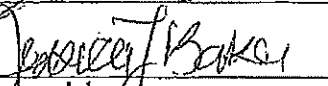
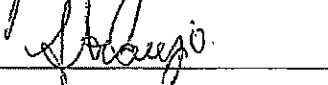

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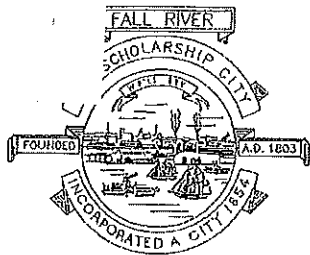
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PETITION AGAINST 63 UNIT APARTMENT COMPLEX BY JH HOLDINGS GROUP ON MARIANO BISHOP BLVD & AUGUST ST. LOTS C-16-1,23,82,86-88

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We the undersigned, respectfully request the planning board of Fall River, Massachusetts deny the above mentioned project to JH Holdings Group to help save our neighborhood.

Printed name	Signature	Address	Date
Michael Aguiar		205 Whitefield St	11/7/20
Edward Almeida		193 Whitefield St. F.R. MA	11/8/20
Rebecca Dozois		265 Whitefield St	11/9/20
Charles PEEBLES		139 Bronson St	11-9-20
Leonid Nemtsovich		21 August St.	11-9-20
Allie Cateon		77 Bart St.	11/9/20
Kevin J Cateon		77 Bart St	11/9/20
BOPHOUN NOR		151 Bronson St	11/9/20
Stacy Nor		151 Bronson St	11/9/20
Frank Baker		217 Whitefield St	11-10-20
Joss Baker		217 Whitefield St	11-11-20
Josanna Araujo		232 Whitefield St	11-11-20



City of Fall River Massachusetts
Office of the City Clerk

RECEIVED

2020 NOV 13 P 1:58

CITY CLERK _____
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

MEETINGS SCHEDULED
VIRTUAL MEETINGS

Meetings will be available for viewing on Comcast Cable Channel 18 in Fall River or the following websites: Fall River Government Television - www.frgtv.fredtv.us/live; Facebook - www.facebook.com/frgtv/live; Livestream - <https://livestream.com/accounts/12896038>

TUESDAY, NOVEMBER 17, 2020
AGENDA

All persons interested and wishing to be heard at the public hearings must submit written comments by letter addressed to City Clerk, One Government Center, Fall River, MA 02722 or email to city_council@fallriverma.org. Comments must be received by Tuesday, November 17, 2020 at 3:00 p.m. to be read at the meeting.

5:55 PUBLIC HEARINGS

Auto Repair Shop License

1. Charbel Sarkis, 2 Fisherman Road, Fairhaven, MA 02719, d/b/a R & M Auto Service, for a license to operate an auto repair shop at 703 Brayton Avenue, on Lot F-7-0013, 14, 28 and 29 Assessors Plan.

Tax Classification

2. Adoption of the percentage of the local tax levy to be borne by each class of property for Fiscal Year 2021.

6:00 P.M. COMMITTEE ON FINANCE MEETING

1. Citizen Input

Due to the COVID-19 Essential Services Advisory, citizen input must be submitted by email to city_council@fallriverma.org by Tuesday, November 17, 2020 at 3:00 p.m. to be read at the meeting.

2. *Fiscal Year 2021 – Quarter 1 Budget Report (referred 10-27-20)
3. *Transfers and appropriations (see items 1, 2 and 3 below)

7:00 P.M. REGULAR MEETING OF THE CITY COUNCIL (OR IMMEDIATELY FOLLOWING THE COMMITTEE ON FINANCE MEETING IF IT RUNS PAST 7:00 P.M.)

PRIORITY MATTERS

1. *Mayor and order to reduce \$1,000,000.00 from the School Transportation Appropriation thereby reducing the Annual Budget for FY 2021

ADA Coordinator: Gary P. Howayeck, Esq. 508-324-2650

One Government Center • Fall River, MA 02722
TEL 508-324-2220 • FAX 508-324-2211 • EMAIL city_clerks@fallriverma.org

2. *Mayor and order appropriating \$1,194,155.00 from the increase in Cherry Sheet State Aid to the following:

Education – All Other	\$ 50,738.00
Insurance	\$ 63,313.00
State and County Assessments	\$ 1,080,104.00
3. *Mayor and order appropriating \$250,000.00 from the General Fund FY20 Surplus Revenue (Free Cash) to the Capital Project Fund for police vehicles
4. *Mayor and orders as follows:
 - a. An Act relative to the abolishment of the Board of Police
 - b. An Act relative to the abolishment of the Board of Fire Commissioners
5. *City Assessor and orders for the establishment of the Fiscal Year 2021 tax factor and tax levy.

PRIORITY COMMUNICATIONS

6. *Traffic Commission recommending amendments to traffic ordinances
7. *Communication from Councilor Trott Lee to Governor Charles D. Baker regarding the COVID-19 Order No. 54

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

8. *Committee on Finance convene to determine response to Governor's COVID-19 Order No. 54 advocating for the balance of financial preservation and public safety measures

CITATIONS

9. Veterans of Foreign War Post 486 in celebration of their 100th Anniversary

ORDERS – HEARINGS

Auto Repair Shop License:

10. Charbel Sarkis, 2 Fisherman Road, Fairhaven, MA, d/b/a R & M Auto Service, for a license to operate an auto-repair shop at 703 Brayton Avenue

ORDERS – MISCELLANEOUS

11. Police Chief's report on licenses:

2020 Taxicab Drivers:

Carol DeMelo Charles R. Phifer

2021 Taxicab Drivers:

Thomas Andrade	Robert M. Collins Jr.	Gilbert W. Correia	Carol DeMelo
Charles R. Phifer	Delores Socal	Walter Woods	

12. Revocation of permit for the storage of inflammables (removal of tanks):
 *Genlyte Group Incorporated – 631 Airport Road

13. Auto Repair Shop License Renewals:

Tiago Botelho d/b/a Mill City Diesel Auto Repair and Sales at 1139 Slade Street
 Manuel Felix d/b/a Felix Auto Collision Center at 1201 Slade Street
 Luis Pimentel, L and S Auto, Inc. at 1138 Pleasant Street

14. Auto Body Shop License Renewals:

Steve Melo, Choice Collision Center, Inc. at 645 Brayton Avenue
 Joseph Silva d/b/a Supreme Auto at 421 Third Street

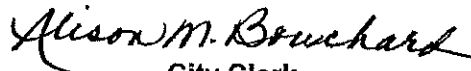
COMMUNICATIONS – INVITATIONS – PETITIONS

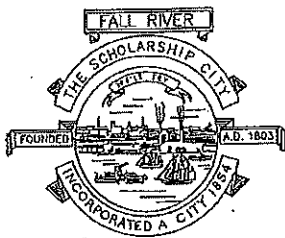
- 15. *Claims
- 16. Drainlayer License – R.J. Messina, Inc.
- Planning Board Minutes
- 17. October 19, 2020 meeting
- City Council Meeting Minutes:
- 18. *Regular Meeting of the City Council – October 27, 2020
- 19. *Communication from Collin Dias re: use of funding at Veterans Association of Bristol County
- 20. *Open Meeting Law Complaint from Collin Dias re: alleged violation by City Council Committee on Finance on October 27, 2020
- 21. *Open Meeting Law Complaint from Patrick Higgins re: alleged violation by City Council President on October 27, 2020

BULLETINS – NEWSLETTERS – NOTICES – None

TABLED MATTERS

- 5a. *Mayor requesting the confirmation of the reappointment of Christopher Antao (tabled 10-27-2020)
- 5b. *Mayor requesting the confirmation of the reappointment of Donna A. Valente (tabled 10-27-2020)
- 10a. Orders for public hearings to be scheduled for street acceptances as follows:
 - a. Barrows Street, extending from South Main Street to Andrews Street (tabled 8-11-2020)
 - b. Chestnut Hill Drive, Extending from North Main Street to a dead end (tabled 8-11-2020)
 - c. Estes Lane, extending from Lark Street to (old) Lower Stafford Road (tabled 8-11-2020)


City Clerk



**City of Fall River
Massachusetts
Office of the Mayor**

RECEIVED

2020 NOV 12 P 1:00

PAUL E. COOGAN
Mayor

CITY CLERK _____
FALL RIVER, MA

November 9, 2020

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02722

Dear Honorable Council Members:

In accordance with the provisions of Chapter 44, Section 32 of the Massachusetts General Laws, I'm presenting the following appropriation order changes from my originally presented appropriation order to your Honorable Body for fiscal 2021. The appropriation order before you has been decreased as a result of the \$1,000,000 from the Elementary and Secondary School Emergency Relief Fund (ESSER Fund) to be used to fund school transportation.

The Annual Budget for the fiscal year 2021 is decreased to \$311,689,650 from \$312,689,650.

Original Appropriation for School Transportation \$ 10,730,000

Funding Offset:

Elementary and Secondary School
Emergency Relief Fund
(ESSER Fund) \$ 1,000,000

Revised School Transportation Appropriation \$ 9,730,000

To arrive at this decrease, we reached out to the Department of Local Services and it was recommended that the City use the same method that was suggested in Bulletin 2020-7 for the CARES ACT CvrF or FEMA fund, i.e. establish a special revenue fund an charge directly any ESSER Fund eligible transportation costs. Mr. Almeida confirmed that this method was preferred to track those eligible transportation costs in the event that specific reporting would be required.

If you have any questions or concerns regarding this, please feel free to contact me.

Best Regards,

Paul E. Coogan
Paul E. Coogan
Mayor

One Government Center • Fall River, MA 02722
TEL (508) 324-2600 • FAX (508) 324-2626 • EMAIL mayor@fallriverma.org

City of Fall River, *In City Council*

November 17, 2020

1

ORDERED:

That the sum of \$1,000,000 be, and the same is, hereby be reduced from the SCHOOL TRANSPORTATION APPROPRIATION. Thereby reducing the total appropriation of the Annual Budget for the Fiscal Year 2021 from \$312,689,650 to \$311,689,650.

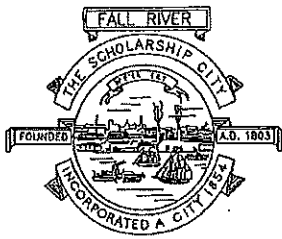
FY21 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation	Amount Transferred	Adjusted Balance
School Transportation	\$ 10,730,000.00	\$ (1,000,000.00)	\$ 9,730,000.00

I certify that there are sufficient funds available for these transfers.


Jennifer Argo, City Auditor
 November 17, 2020

2



**City of Fall River
Massachusetts
Office of the Mayor**

RECEIVED

2020 NOV 12 P 1:00

CITY CLERK
FALL RIVER, MA

PAUL E. COOGAN
Mayor

November 9, 2020

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02722

Dear Honorable Council Members:

In accordance with the provisions of Chapter 44, Section 32 of the Massachusetts General Laws, I recommend the following appropriations to your Honorable Body.

These appropriations will be funded with additional state aid as presented on the updated Cherry Sheet submitted by the HWM of \$988,672 and net sum of additional municipal receipts of \$205,483. The following appropriations will be made in Fiscal Year 2021:

1. \$50,738 That the sum of \$50,738 be, and the same is, hereby appropriated to the
EDUCATION – ALL OTHER
2. \$63,313 That the sum of \$63,313 be, and the same is, hereby appropriated to the
INSURANCE
3. \$1,080,104 That the sum of \$1,080,104 be, and the same is, hereby appropriated to the
STATE AND COUNTY ASSESSMENTS

The increase in the appropriation for education-other is a result of a net increase in the Diman Regional Vocational High School and Bristol County Agricultural assessments; an increase in the property insurance renewal provided by Partners Insurance on November 6, 2020; and an increase in the State and County Assessments as presented on the updated Cherry Sheet submitted by the House Ways and Means on November 5, 2020.

If you have any questions or concerns regarding this, please feel free to contact me.

Best Regards,

Paul E. Coogan

Paul E. Coogan
Mayor

City of Fall River, In City Council

2

November 17, 2020

2

ORDERED:

That the sum of \$1,194,155 be, and the same is, hereby appropriated from the increase in Cherry Sheet State Aid as voted by the HWM of \$988,672 and other municipal receipts of \$205,483 for the following:


Appropriations:

Education – All Other	\$50,738
Insurance	\$63,313
State & County Assessments	<u>\$1,080,104</u>
	\$1,194,155

FY21 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation	Amount Transferred	Adjusted Balance
Education - All Other	\$ 4,000,274.00 \$	50,738.00 \$	4,051,012.00
Insurance	\$ 41,035,000.00 \$	63,313.00 \$	41,098,313.00
State Assessments	\$ 28,397,895.00 \$	1,080,104.00 \$	29,477,999.00

I certify that there are sufficient funds available for these transfers.


 Jennifer Argue, City Auditor
 November 17, 2020

RECEIVED
 2020 NOV 12 P 1:00
 CITY CLERK _____
 FALL RIVER, MA

2



City of Fall River
Massachusetts
Office of the Mayor

3

RECEIVED

2020 NOV 12 P 1:00

PAUL E. COOGAN
Mayor

CITY CLERK _____
FALL RIVER, MA

November 9, 2020

The Honorable City Council
One Government Center
Fall River, MA 02722

RE: Transfer of Funds

Dear Honorable Council Members:

It is respectfully requested that \$250,000 be transferred from the Free Cash to a Capital Project Fund for the purchase of five new cruisers for the police department. The police department recently lost three cruisers as a result of accidents. In addition, the department, due to the pandemic, is only assigning one officer to a vehicle. We are hopeful that the eligibility requirements of the CARES funding will change in the next month and include the purchase of equipment. If in fact, the purchase of vehicles becomes an eligible expense we will transfer this funding back to our reserves.

If you have any questions, please feel free to contact me.

Best Regards,

Paul E. Coogan
Paul E. Coogan
Mayor

City of Fall River, In City Council

November 17, 2020

3

#3

ORDERED:

**That the sum of \$250,000 be, and the same is, hereby appropriated from the
GENERAL FUND FY20 SURPLUS REVENUE (FREE CASH) to the
CAPITAL PROJECT FUND to purchase police vehicles.**

FY21 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation	Amount Transferred	Adjusted Balance
General Fund Free Cash	\$ 2,201,502.00 \$	(250,000.00) \$	1,951,502.00
Capital Project Fund - Police Vehicles	\$ - \$	250,000.00 \$	250,000.00

I certify that there are sufficient funds available for these transfers.



Jennifer Argo, City Auditor
November 17, 2020



City of Fall River, Massachusetts Police Department

Office of the Chief of Police

Jeffrey Cardoza
Chief of Police

COPY

685 Pleasant St.
Fall River, MA 02721
Tel: 508-824-2787
Fax: 508-824-2809
TDD: 508-824-2790

September 2, 2020

To: Mayor Paul Coogan

From: Chief Jeffrey Cardoza

Re: Additional Vehicles

Sir,

CITY CLERK
FALL RIVER, MA

2020 NOV 12 P 1:00

RECEIVED

Covid-19 has created significant challenges for the police department. One of those challenges has been the ability to properly distance officers from not only the public but each other. On some occasions we are unable to keep officers separated due to broken down patrol vehicles. These cruisers often have extraordinarily high miles and are in need of costly repairs. This usually occurs within the specialized units. Subsequently, officers are forced to work side by side in the same vehicle for up to eight hours.

I ask that you consider purchasing more patrol vehicles, especially while the Covid-19 pandemic remains. It's vitally important that we keep our first responders safe.

Respectfully,

Chief of Police



City of Fall River, Massachusetts Police Department

Office of the Chief of Police

Jeffrey Cardoza
Chief of Police

685 Pleasant St.
Fall River, MA 02721
Tel: 508-824-2787
Fax: 508-824-2809
TDD: 508-824-2790

November 5, 2020

Mayor Paul Coogan
City of Fall River, Massachusetts
One Government Center
Fall River, Massachusetts 02722

Dear Mayor Coogan,

Recently, we have lost three of our front line cruisers to traffic crashes. Subsequently, this has created a shortage of low mile Uniform Division cruisers. When we lose newer cruisers, we end up using older high mileage vehicles that are often in need of costly repairs.

We also try to properly distance officers from working in the same cruisers due to the pandemic. It was hope that the CARES funding could have been used toward the purchase of new cruisers (see attached request). Because that is not possible, I am respectfully requesting funding for five new cruisers (see attached invoice). These vehicles are currently at MHQ and ready to be put into service.

Sincerely,

Jeffrey Cardoza
Chief of Police

JC/lr

CITY CLERK
FALL RIVER, MA

2020 NOV 12 P 1:00

RECEIVED

3



QUOTE **3**

CUSTOMER

Contact Name: Sgt. Thomas G. Mauretti
 Company/Dept: Fall River Police Department
 Street Address: 685 Pleasant St
 City, State, Zip: Fall River, MA 02721
 Phone: 508-324-2787
 Email: tmauretti@frpd.org

RECEIVED

Date: 10/29/2020

Valid Until: 60 Days*

Customer #:
 Contract: Plymouth County

Sales Rep: Kris Wright

CITY CLERK
 FALL RIVER, MA

Vehicle:

CONTRACT LINE REFERENCE	LINE DESCRIPTION	UNIT PRICE	QTY.	EXTENDED PRICE
K8A	2020 (or current model) Ford Utility Police Interceptor - Optional Engine: (99B) 3.3L V6 Direct-Injection Gasoline (FFV) - 10 Speed Automatic Transmission - Heavy Duty 18" Steel Wheels Small Chrome Center Hub Caps- Heavy Duty Vinyl Flooring - 1st Row Police Grade Cloth Dual Front Bucket Seats (Driver's Side Six Way Power Seat; Passenger side Manual) - 2nd Row Vinyl 60/40 Split Bench Seats - 3 Year 36,000 mile Bumper to Bumper Warranty- 5 Year 100,000 mile Drivetrain Warranty	\$ 34,195.00	1	\$ 34,195.00
UM	Exterior Color: Agate Black	\$ -	1	\$ -
18D	Global Lock / Unlock feature (Door-panel switches will lock/unlock all doors and rear liftgate. Eliminates the overhead console liftgate unlock switch).	\$ -	1	\$ -
87R	Rear View Camera (Mirror Display)	\$ -	1	\$ -
153	License Plate Bracket - Front	\$ -	1	\$ -
52T	Trailer hitch wiring - Class III	\$ 78.40	1	\$ 78.40
43D	Dark Car Feature - Courtesy lamp disable when any door is opened	\$ 24.50	1	\$ 24.50
51R	Spot Lamp - Driver only (Unity LED)	\$ 387.10	1	\$ 387.10
549	Mirrors - Heated Side View	\$ 58.80	1	\$ 58.80
52P	Hidden Door-Lock Plunger -inc; rear-door controls inoperable (locks, handles and windows) Locks/windows operable from driver's door switches	\$ 156.80	1	\$ 156.80
76R	Reverse Sensing	\$ 269.50	1	\$ 269.50
Standard	Hands Free/ Bluetooth	\$ -	1	\$ -
Standard	Trailer hitch - Class III	\$ -	1	\$ -
VEHICLE TOTAL:				\$ 35,170.10

Contract Equipment:

CONTRACT LINE REFERENCE	LINE DESCRIPTION	UNIT PRICE	QTY.	EXTENDED PRICE
Paint	Paint 2 doors and roof only: YZ-Oxford White	\$ 730.00	1	\$ 730.00
293	Federal Signal Corner LED system 416910-X - Single color 12-LED 1" round light head -Two weatherproof light heads included. Mounted in Head Lights- Blue	\$ 235.00	1	\$ 235.00
Labor Hour	Labor to activate factory headlight flasher	\$ 105.00	0.5	\$ 52.50

1217	Federal Signal Push Bumper model #PBX05/PBX07 - FORD INTERCEPTOR UTILITY. Made from 4-gauge steel with no drilling required for install. Pre drilled for easy lighting and speaker mounting. Includes plain top rail, 2-light top rail, or 4-light top rail. Lights sold separately	\$ 475.00	1	\$ 475.00
132	Federal Signal Micro Pulse Ultra 6 Surface mount MPS620U-XX - Ultra thin 12-LED light head - DUAL color light head - TWO weatherproof light heads included Mounted on sides of push bumper - Blue/White	\$ 365.00	1	\$ 365.00
135	Federal Signal Micro Pulse Wide Angle 9 surface mount MPSW9-X - single color- 180 degree visibility - optional under mirror mounting available - TWO weatherproof light heads included	\$ 415.00	1	\$ 415.00
132	Federal Signal Micro Pulse Ultra 6 Surface mount MPS620U-XX - Ultra thin 12-LED light head - DUAL color light head - TWO weatherproof light heads included Mounted in rear side 1/4 glass window - Blue/White	\$ 365.00	1	\$ 365.00
158	Federal Signal ILS low profile Internal rear deck LED system model # SILSD-1494871261 - Includes 10 High power SINGLE COLOR Solaris LED modules and Signal Master - B/R/B/B/B/B/B/B/R/B	\$ 995.00	1	\$ 995.00
293	Federal Signal Corner LED system 416910-X - Single color 12-LED 1" round light head -Two weatherproof light heads included. Mounted in Tail Lights- (2)Red, (2) White	\$ 235.00	2	\$ 470.00
43	Federal Signal 51" Valor model # VALR51S-EASTPF, and PATHFINDER siren/control PF200 package; B/W Front B/A rear with (2) Red modules for brake lights	\$ 3,645.00	1	\$ 3,645.00
358	Federal Signal OBD-CABLE25-2 - OBDII input control option for use with ALL Pathfinder Siren system models installed in 2020 Ford Police Interceptor Utility Allows total vehicle control for input triggering. 25' Length	\$ 145.00	1	\$ 145.00
414	Federal model # ES100C Dyna Max compact speaker with vehicle mounting bracket. 100W, Compact, class A siren speaker.	\$ 250.00	1	\$ 250.00
504	Pro-gard Pro-cell Singel Cell Prisoner Transport Systems Includes: 1/2 or Full Partition; Transport Seat; Floor Pan, Pair Window Armor, Lower Extension Panel, Poly Divder, Poly Window Barrier Single Compartment, Pro-cell, 1/2 Partition part# P1000UIN20A	\$ 2,495.00	1	\$ 2,495.00
787	Havis Vehicle Specific Flat Console for 2020 Ford Interceptor Utility 24" Console model # C-VS-0618-INUT	\$ 525.00	1	\$ 525.00
824	Dual Internal cup holder model # C-CUP2-I	\$ 45.00	1	\$ 45.00
797	Havis Armrest, console side mount, flip up armrest model # C-ARM-108	\$ 155.00	1	\$ 155.00
1000	Hint tablet/modular mount with double telescopic post for display/tablet and keyboard including GRIP tilt and swivel for 2020 Ford Interceptor Utility model # TM-5502-PIU-20	\$ 695.00	1	\$ 695.00
TH-461-CF19	Adjustable Tablet Holder with Tamper Resistant Cam Lock for Panasonic CF19	\$ 307.25	1	\$ 307.25
DHUNIV	Hint Display Holder for VESA 75, VESA 100, and Vertical Slots with 4" & 4.125" Spacing model # DH-UNIV	\$ -	1	\$ -
1020	911 Circuits Model # CH27 Full Size Power Distribution System	\$ 750.00	1	\$ 750.00
1443	Install computer and docking package	\$ 325.00	1	\$ 325.00
SC9205	Santa Cruz Rapid Adjust Universal Gun Rack with SC-6 XL Lock Model # SC-920-5	\$ 265.00	1	\$ 265.00

3G6301	Weapon rack to Pro Guard Pro Cell side mount bracket	\$	18.90	1	\$	18.90
NMOKUB20MPL	2 Way Radio Antenna Cable	\$	24.00	1	\$	24.00
Labor Hour	Labor to Install 2 way radio antenna cable	\$	105.00	1	\$	105.00
1974	Vent Shades- 4 doors	\$	95.00	1	\$	95.00
EQUIPMENT TOTAL:					\$	13,947.65

Vehicle Equipment Total:	\$	49,117.75
--------------------------	----	-----------

ITEM	LINE DESCRIPTION	UNIT PRICE	QTY.	EXTENDED PRICE
	Number of Vehicles to be purchased	\$ 49,117.75	5	\$ 245,588.75
				\$
			TOTAL:	\$ 245,588.75

TERMS AND CONDITIONS

*This quote is valid for 60 days. Any purchase orders or approved quotes received outside of this date will be subject to price adjustments. By signing this quote, the customer is agreeing to pay, in full, for all items listed above. Any requests for changes, modifications, replacements, removals or additional items may be subject to additional fees and/or adjusted delivery dates.

M.G.L. c.30B applies to the procurement of all commodities quoted. Contract items have been collectively purchased pursuant to M.G.L. c.30B sec. 1c and M.G.L. c.7 sec. 22B. The governmental body is responsible to determine the applicability of M.G.L. c.30B to off contract items, including, but not limited to off contract items that have already been properly procured under M.G.L. c.30B sec. 1c and M.G.L. c.7 sec. 22A (purchases from a vendor on a contract with the Commonwealth), other contracts procured under M.G.L. c.30B sec 1c and M.G.L. c.7 sec. 22B, or any M.G.L. c. 30B contract between the vendor and the jurisdiction. All off contract items must be procured under M.G.L. c. 30B.

The terms and conditions stated herein and the provisions of any agreement between MHQ and Buyer, if applicable, shall constitute the complete and only terms and conditions applicable to any and all purchases by Buyer from MHQ. Any additional and/or different terms and/or conditions printed anywhere including on, or with, Buyer's order shall be inapplicable in regard to any purchase by Buyer from MHQ.

ORDER ACKNOWLEDGEMENT

By signing this document you are agreeing to the above terms and conditions of this order from MHQ, Inc.

X

PRINT NAME

X

TITLE

X

SIGNATURE

X

DATE

RECEIVED
2020 NOV 12 P 1:01
CITY CLERK
FALL RIVER, MA

4a+b



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2020 NOV 12 P 1:00

PAUL E. COOGAN
Mayor

CITY CLERK _____
FALL RIVER, MA

November 9, 2020

Member of the Honorable Council
City of Fall River
One Government Center
Fall River, MA 02722

City Council President and Members of the Honorable Council,

As the administration has begun to undertake a review of ordinances as they relate to inactive City boards and commissions, I respectfully submit for the Council's consideration the attached Special Acts related to the abolishing of both the Board of Police and the Board of Fire Commissioners.

Thank you for your every consideration with this request.

Respectfully,

Paul E. Coogan
Paul E. Coogan
Mayor

PC/amos

4a+b

City of Fall River
Office of the Corporation Counsel

PAUL E. COOGAN
Mayor



ALAN J. RUMSEY
Corporation Counsel

GARY P. HOWAYECK
Assistant Corporation Counsel

October 23, 2020

To the Honorable Mayor Coogan
City of Fall River
Once Government Center
Fall River, MA 02722

RE: Abolishment of both Board of Police and Board of Fire Commissioners

Dear Mr. Mayor:

It is my understanding you desire to abolish the Board of Police and the Board of Fire Commissioners. To achieve this end, I have attached two (2) simple orders petitioning the General Court to abolish the same.

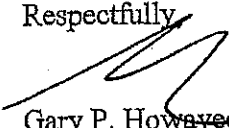
By way of brief history, the Board of Fire Commissioners was created in 1938 by an Act of the General Court. The most recent Act of 2012, Chapter 281 maintained the Board of Fire Commissioners with modifications. The Board of Police was established in 1946, undergoing various changes over the years, and currently an existing Board through the Acts of 1986 Chapter 1.

To abolish such boards, you need to submit a Special Act for City Council consideration. Once the Special Act is adopted by the Council and approved by you, it will need to be filed by either a State Representative or Senator at the Massachusetts Legislature for enactment.

Once the bill passes the House and Senate and is approved by the Governor, it will need to be submitted back to the City Council for purposes of amending the current city ordinances.

Once the bill is enacted and the City is notified, the Law Department will need to draft the proposed ordinance(s) for the Council's consideration.

Respectfully


Gary P. Howayeck
Assistant Corporation Counsel

CITY CLERK
FALL RIVER, MA

2020 NOV 12 P 1:00

RECEIVED

BE IT ORDERED, that the City of Fall River, acting by and through its City Council and Mayor, does hereby petition the General Court of the Commonwealth of Massachusetts under the provisions of Section 8 of Article 89 of the amendments to the Constitution of Massachusetts, for a Special Act, as follows:

AN ACT RELATIVE TO THE ABOLISHMENT OF THE BOARD OF POLICE IN THE CITY OF FALL RIVER

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section three of Chapter one of the acts of nineteen hundred eighty-six is hereby repealed.

SECTION 2. This act shall take effect upon its enactment.

City of Fall River, In City Council

46

BE IT ORDERED, that the City of Fall River, acting by and through its City Council and Mayor, does hereby petition the General Court of the Commonwealth of Massachusetts under the provisions of Section 8 of Article 89 of the amendments to the Constitution of Massachusetts, for a Special Act, as follows:

AN ACT RELATIVE TO THE ABOLISHMENT OF THE BOARD OF FIRE
COMMISSIONERS IN THE CITY OF FALL RIVER

Be it enacted by the Senate and House of Representatives in General Court
assembled, and by the authority of the same, as follows:

SECTION 1. Section four of Chapter two hundred eighty-one of the acts of two thousand twelve is hereby repealed.

SECTION 2. This act shall take effect upon its enactment.



City of Fall River
Massachusetts
Department of Financial Services
TREASURER • COLLECTOR • AUDITOR • ASSESSOR

Board of Assessors

5
RECEIVED

2020 NOV 12 P 4:10

CITY CLERK _____
FALL RIVER, MA

PAUL E. COOGAN
Mayor

RICHARD A. GONSALVES, MAA, CHAIRMAN
NANCY L. HINOTE, MAA
RICHARD B. WOLFSON

November 12, 2020

RE: FISCAL YEAR TAX FACTOR

Dear Council President and Members of the Fall River City Council:

As you know, General Laws Chapter 40, Section 56 allows a municipality to adopt a tax factor creating a split tax rate. The City of Fall River typically adopted such a tax factor creating a split tax rate in previous fiscal years. Such a tax factor must be adopted by the City Council with the approval of the Mayor. Before any such tax factor is adopted, there must first be a public hearing. As you are also aware, Chapter 40, Section 56 mandates that the factor cannot exceed 1.75. As the factor increases from 1.00 to 1.75, the residential rate decreases, and therefore the commercial, industrial, and personal property, (C.I.P.) tax rate increases.

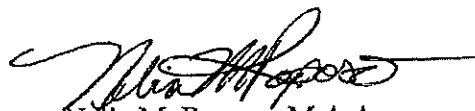
It is my understanding that the public hearing concerning the classification of property within the City of Fall River has been scheduled for Tuesday, November 17th at 5:55 p.m. within the City Council Chambers. The hearing will be held in order to establish the tax factor pursuant to Chapter 40, Section 56. In past years, the Board of Assessors has been able to provide a packet of relevant information including an analysis of the various tax rates that would result from tax factors ranging between 1.00 and 1.75.

As you are aware, the Covid-19 Pandemic, and the State of Emergency declared by Governor Baker on March 10, 2020, have significantly impacted the ability of the Commonwealth, and municipalities across the Commonwealth, to deliver essential municipal services in the manner they had been provided in the past. In spite of this, the Commonwealth, and municipalities like Fall River, have continued to provide essential municipal services, albeit in a slightly different fashion. The Assessors Office is currently finishing the MassDOR Approval process necessary to produce the analysis of the various tax rates that would result from tax factors ranging between 1.00 and 1.75. It is our intention to be able to forward that analysis to the City Council by close of business on Monday, November 16, 2020.

5

Thank you for your understanding of this delay. If any additional information is required, please feel free to contact the Assessor's office.

Respectfully yours,

A handwritten signature in cursive script, appearing to read 'Nelia M. Raposo', written in black ink.

Nelia M. Raposo, M.A.A.

Administrative Assistant to the Board of Assessors



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

Paul E. Coogan
Mayor

2020 NOV -9 P 1:14 **LAURA FERREIRA**
Parking Clerk

CITY CLERK _____
FALL RIVER, MA _____

November 6, 2020

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02720

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, November 4, 2020 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70
Section: 387

Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
-----------------------	-------------	-----------------

Earle Street	North	Starting at a point 178 feet east of Eastern Avenue, for a distance of 20 feet easterly.
--------------	-------	---

Christine Moniz
34 Earle Street
Fall River, MA 02723

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

Paul E. Coogan
Mayor

2020 NOV -9 P **LAURA FERREIRA**
Parking Clerk

CITY CLERK _____
FALL RIVER, MA _____

November 6, 2020

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02720

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, November 4, 2020 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70
Section: 387 **Handicapped Parking**

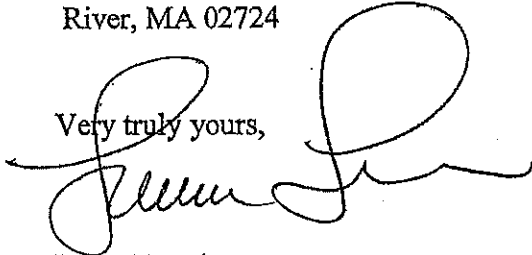
By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
East Main Street	West	Starting at a point 84 feet south of Peckham Street, for a distance of 20 feet southerly.

Alfred Wayne Coursey
181 East Main Street
River, MA 02724

Very truly yours,


Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

Paul E. Coogan
Mayor

2020 NOV -9 P 1:14
LAURA FERREIRA
Parking Clerk

CITY CLERK
FALL RIVER, MA

November 6, 2020

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02720

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, November 4, 2020 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70

Section: 387

Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street

Side

Location

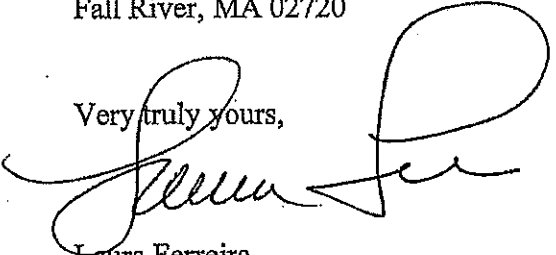
North Main Street

West

Starting at a point 215 feet south of Weaver Street,
for a distance of 20 feet southerly.

Eric Ouellette
2046 North Main Street
Fall River, MA 02720

Very truly yours,


Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

Paul E. Coogan
Mayor

2020 NOV -9 P 1:10
LAURA FERREIRA
Parking Clerk

November 6, 2020

CITY CLERK _____
FALL RIVER, MA

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02720

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, November 4, 2020 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70
Section: 387 **Handicapped Parking**

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Oak Street	West	Starting at a point 20 feet south of Bank Street, for a distance of 20 feet southerly.

Jenny A. Orengo
56 Oak Street
Fall River, MA 02720

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Paul E. Coogan
Mayor

November 6, 2020

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02720

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, November 4, 2020 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Thomas Street	East	Starting at a point 171 feet south of County Street, for a distance of 20 feet southerly.

Jessica Lynn
28 Thomas Street
Fall River, MA 02723

Very truly yours,

Laura Ferreira
Parking Clerk

RECEIVED

LAURA FERREIRA
2020 NOV - 9 Parking Clerk

CITY CLERK _____
FALL RIVER, MA



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division **RECEIVED**

Paul E. Coogan
Mayor

2020 NOV -9 P 1:15
LAURA FERREIRA
Parking Clerk
CITY CLERK
FALL RIVER, MA

November 6, 2020

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02722

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, November 4, 2020 the following request was heard and approved by the Traffic Commission.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70
Section: 387 **Handicapped Parking**

By striking out in proper alphabetical order the following.

STRIKE OUT
Name of Street

Side

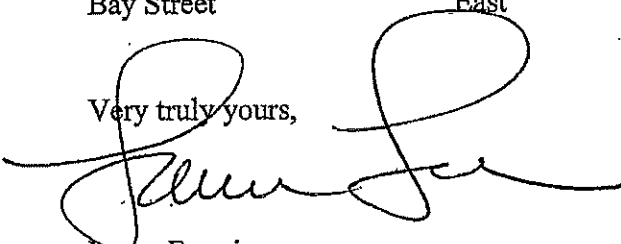
Location

Bay Street

East

Starting at a point 25 feet south of Charles Street,
for a distance of 20 feet southerly.

Very truly yours,


Laura Ferreira
Parking Clerk



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

RECEIVED

Paul E. Coogan
Mayor

2020 NOV -9 2:15
LAURA FERREIRA
Parking Clerk

CITY CLERK
FALL RIVER, MA

November 6, 2020

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02722

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, November 4, 2020 the following request was heard and approved by the Traffic Commission.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70
Section: 387 Handicapped Parking

By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street

Side

Location

East Main Street

East

Starting at a point 20 feet north of Mystic Street,
for a distance of 20 feet northerly.

Very truly yours,

Laura Ferreira
Parking Clerk

6

CH



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division
RECEIVED

Paul E. Coogan
Mayor

2020 NOV -9 P 1:15 **LAURA FERREIRA**
Parking Clerk

CITY CLERK _____
FALL RIVER, MA

November 6, 2020

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02722

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, November 4, 2020 the following request was heard and approved by the Traffic Commission.

That Chapter 70 of Revised Ordinances be amended in the following Section:

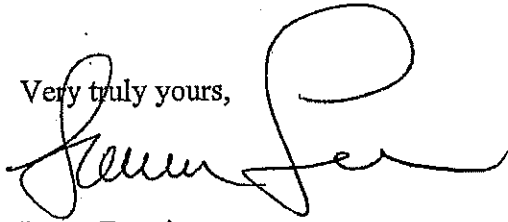
Article: 70
Section: 387 Handicapped Parking

By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
Fountain Street	East	Starting at a point 25 feet north of William Street, for a distance of 20 feet northerly.

Very truly yours,


Laura Ferreira
Parking Clerk



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

RECEIVED

Paul E. Coogan
Mayor

2020 NOV -9 P LAURA FERREIRA
Parking Clerk

CITY CLERK
FALL RIVER, MA

November 6, 2020

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02722

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, November 4, 2020 the following request was heard and approved by the Traffic Commission.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70
Section: 387 Handicapped Parking

By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
Lapham Street	East	Starting at a point 144 feet north of Cambridge Street, for a distance of 20 feet northerly.

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division **RECEIVED**

Paul E. Coogan
Mayor

2020 NOV -9 P 1:15

LAURA FERREIRA

CITY CLERK _____ *Parking Clerk*
FALL RIVER, MA

November 6, 2020

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02722

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, November 4, 2020 the following request was heard and approved by the Traffic Commission.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70
Section: 387 Handicapped Parking

By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
Mott Street	West	Starting at a point 30 feet south of Heath Street, for a distance of 25 feet southerly.

Very truly yours,

Laura Ferreira
Parking Clerk



**City of Fall River
Massachusetts
City Council**

RECEIVED

2020 NOV 10 P 2:23

TROTT LEE
City Councilor

CITY CLERK _____
FALL RIVER, MA

November 3, 2020

The Honorable Charles D. Baker
Office of the Governor
Massachusetts State House
Room 280
Boston, MA 02133

Dear Governor Baker:

This letter serves as a response to your initiation of COVID-19 Order #54. I am representing my position as an individual City Councilor from Fall River, MA. This letter does not represent the City Council body as a whole.

As you are well aware, Fall River is a city with many fiscal challenges well before the imposition of this current pandemic. However, over the past several years we have had a number of economic opportunities come our way such as the arrival of Amazon, marijuana facilities and the South Coast Marketplace. We have seen many small businesses such as salons, barber shops, local restaurants and bars gain some footing over the years as Fall River is fighting to keep its economy progressing. With South Coast Rail in the process of being built, we are seeing increased interest from investors obtaining property, which would assist greatly in the further development of our economy and broadening our tax base.

I recognize the deadliness and severity this pandemic presents. We do not want to see more cases, increased death tolls, and overpopulated hospital beds. I personally have seen friends and colleagues lose loved ones to COVID-19. I fully understand this is not a hoax and not a political ploy. Without a doubt, the largest impact outside of the death toll has been the economic devastation, and this is something we must find a balance in for us to bounce back from this situation. The policies that have come from your office have put our city in severe financial jeopardy governmentally and in the private sector, which directly impacted our safety overall. For example, the limits placed upon the marijuana facilities hurt those who were employed, but also significantly impacted our city's revenue. We were facing cuts to public safety based on the revenue challenges presented by your policy that did not need to be implemented. While I respect the needs to protect our people from spreading the virus, I must ask: what is the purpose of imposing policy that puts us in more danger by threatening our public safety? This current imposition of curfew is another example of a policy that will further damage our economy and put more people in danger in the long run. Again, I emphasize that there needs to be balance in protecting ourselves from spreading, but also allowing workers and business owners opportunities to continue making a living. And we especially have a duty to assist those who have been taking the precautions while running their businesses.

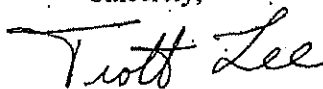
7

While my experience as a City Councilor is new, I am not new to Fall River. I was born and raised here, it is my heart and soul, and I know it very well. I have participated in and had a front-row seat to multiple recalls and protests. It is a historical fact that the people of Fall River will not sit idly by and submit to policy that hurts them.

I recommend an immediate retraction of the curfew and instead making an increased comprehensive effort to assist citizens and businesses in practicing and preserving safety measures such as mask wearing, hygiene, distancing, contact-tracing procedures, and ensuring they have the supplies in place to carry out these safety guidelines. We must certainly refrain from imposing policy that affects revenue, as that places a heavier burden on taxpayers, jeopardizing our public safety and education system.

Finally, I recognize that I am just one voice on a City Council of a small city, but if you strive for common-sense practices to reach a balance of preserving our economy and protecting lives, you will have an ally in me in those efforts.

Sincerely,



Trott Lee
Fall River City Councilor

c: City Council

City of Fall River, *In City Council*

8

(Councilor Trott Lee)

(Councilor Christopher M. Peckham)

WHEREAS, on November 2, 2020, Massachusetts Governor Charles D. Baker issued COVID-19 Order No. 54, a revised order further regulating gatherings in the Commonwealth, and

WHEREAS, COVID-19 Order No. 54 establishes a time limitation where all gatherings, no matter the size or location, must end and participants must disperse by 9:30 p.m., limiting businesses and citizen activity in the City of Fall River, and

WHEREAS, many citizens and businesses are enduring significant financial hardships directly related to the COVID-19 restriction policy, and

WHEREAS, COVID-19 restrictions have had a direct negative effect on City revenue, jeopardizing funding for public safety and education, now therefore

BE IT RESOLVED, that the City Council Committee on Finance convene to determine an appropriate response to the Governor's COVID-19 Order No. 54, requesting the retraction of the order, and advocate for the balance of financial preservation and public health safety measures.

City of Fall River, In City Council

12

ORDERED, that the following license for the storage of inflammables be revoked due to the removal of the storage drums as follows:

License No. 502

Granted: July 17, 1980

Genlyte Group Incorporated, 631 Airport Road, Fall River, MA to store 10,000 gallons of Class A inflammables in the form of lacquers, paints and thinners in 55-gallon drums or less, Assessors Plan Z-03-0006.



RECEIVED

15

City of Fall River
Notice of Claim

2020 OCT 26 P 12:14

CITY CLERK #20-57
FALL RIVER, MA

1. Claimant's name: Kathleen Sullivan
2. Claimant's complete address: 47 Greenlawn St
3. Telephone number: Home: 774-526-3157 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
property damage
5. Date and time of accident: _____ Amount of damages claimed: \$ 1,800.00, 6,500.00
6. Exact location of the incident: (include as much detail as possible):
letter + pictures included
7. Circumstances of the incident: (attach additional pages if necessary):
damage to sewer line + walkway accidentally
damaged when replacing sidewalk
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge:

Date: 10/16/20

Claimant's signature: Kathleen Sullivan

WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

You should consult with your own attorney in preparing this claim form to understand your legal rights. The Office of the Corporation Counsel is unable to provide legal assistance to private citizens.

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator ☒ Sewer Date: 10/26/20

15

To the city of Fall River,

I am writing this in regards to a reimbursement for the damages done to a newly poured walkway at 47 Greenlawn St. It was accidently damaged when replacing the sidewalks, due to the coloring of the cement it will be impossible to match. I am enclosing the slip of \$1,800, which is the cost.

This all began back in 2017, when my sewer lines were clogged due to tree roots growing through the pipes. I am also enclosing the receipts from Bass Reddy Rooter, which dates back to 2017. I have spoken to city employees, numerous times regarding this situation and the condition of the side walk was highly hazardous, lifting from the roots of the tree. Also it is damaging my driveway. The cost of the new pipe was \$6,500.

I have enclosed pictures so the situation is better understood. There is still a problem that needs to address as soon as possible, the back flow valve is raised and is a hazard entering my house.

If there are further questions, please feel free to contact me, Kathleen Sullivan (774) 526-3157

Thank you,

Kathleen Sullivan

Kathleen Sullivan
(774) 526-3157
47 Greenlawn St
Fall River, Ma, 02720

CITY OF FALL RIVER, MA
LAW DEPT.

20 OCT - 6 AM 11:01

CITY CLERK
FALL RIVER, MA
20-574
2020 OCT 27 P 1:24

RECEIVED

10/27/2020

Law
Sewer
City clerk
City Council

RECEIVED



15

2020 NOV -6 A 10: 16

CITY CLERK 20-58
FALL RIVER, MA

City of Fall River
Notice of Claim

1. Claimant's name: Joe Pereira
2. Claimant's complete address: 481 Ridge Street Fall River
3. Telephone number: Home: 724-244-0670 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Broken Sewer Pipe
5. Date and time of accident: 3-1-2020 Amount of damages claimed: \$ _____
6. Exact location of the incident: (include as much detail as possible):
Pipe is located on Osborn Street
7. Circumstances of the incident: (attach additional pages if necessary):
getting water in basement from sewer pipe brings
broken all ready got plumber back in march and
that's when they noticed pipe is broken
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge.

Date: 11-6-2020

Claimant's signature: _____

WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

You should consult with your own attorney in preparing this claim form to understand your legal rights. The Office of the Corporation Counsel is unable to provide legal assistance to private citizens.

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator

☒ Sewer

Date: 11/6/2020



**ROB LEVINE
& ASSOCIATES**

The Lawyers for the Injured and Disabled

Personal Injury Law RI, MA & CT

Social Security Disability Nationwide

Veterans Disability Nationwide

RECEIVED

2020 NOV -6 AM 11:41

CITY CLERK 20-59
FALL RIVER, MA

Certified Mail/Return Receipt Requested
7017 2620 0000 3744 7770
November 2, 2020

STATUTORY PRESENTMENT AND DEMAND

City of Fall River
Attn: Fall River City Clerk's Office – Alison Bouchard, City Clerk
1 Government Center
Fall River, MA 02722

Re: **Our Client:** **Joshua W. Washburn**

Dear Sir or Madam:

This letter of presentment is being sent to you pursuant to M.G.L. Ch. 258 §4, and M.G.L. Ch. 84 §18. Please be advised that I represent Joshua Washburn of 90 Hargraves Street, Fall River, MA 02723 with regard to injuries sustained in a motor vehicle accident on September 6, 2020, at the intersection of Plymouth Ave. and Pleasant Street, Fall River, MA, due to your insured's negligence.

On September 6, 2020 at approximately 8:00 a.m., Joshua was traveling on Pleasant Street in Fall River, MA. Joshua came to the intersection of Pleasant Street and Plymouth Avenue. Joshua had the green light to continue on Pleasant Street when your insured came through the red light on Plymouth Avenue, causing the collision with Joshua. Joshua went to St. Anne's Hospital the day of the collision and was diagnosed with a concussion, head pain, neck pain and back pain. Please see the attached form for additional information.

Demand - as the client is still treating at this time and the full value of their injuries is unknown, the value to settle this claim at this time is five million dollars, \$5,000,000.00. This demand is being provided according to the requirements set forth under chapter 258, section 4 of The Massachusetts General Laws. Thank you for your anticipated cooperation in this matter.

Very truly yours,

Jason Seaberg

Jason Seaberg Esq.
Attorney Licensed in MA

THE HEAVY HITTER®

544 Douglas Ave. - Providence, RI 02908 - local: 401-621-7000 - toll free 800-LAW-2201 - www.roblevine.com

Police
City Clerk
Law
City Council
11/6/2020



City of Fall River
Notice of Claim

RECEIVED

2020 NOV 10 P 4:29

#20-60
CITY CLERK
FALL RIVER, MA

1. Claimant's name: India Corvera
2. Claimant's complete address: 83 Peckham Street
3. Telephone number: Home: 508 818 3618 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
property damage
5. Date and time of accident: 11/3 11:08am Amount of damages claimed: \$ 300.31
6. Exact location of the incident: (include as much detail as possible):
Bedford sidewalk
7. Circumstances of the incident: (attach additional pages if necessary):
see attached
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge.

Date: 11/10/2020

Claimant's signature

[Signature]

WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

You should consult with your own attorney in preparing this claim form to understand your legal rights. The Office of the Corporation Counsel is unable to provide legal assistance to private citizens.

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator

✓ Sewer

Date: 11/10/2020



ROB LEVINE & ASSOCIATES

The Lawyers for the Injured and Disabled

Personal Injury Law RI, MA & CT

Social Security Disability Nationwide

Veterans Disability Nationwide

RECEIVED

2020 NOV 12 A 11:53

CITY CLERK # 20-61
FALL RIVER, MA

Certified Mail/Return Receipt Requested
7015 1520 0001 2703 9935

November 4, 2020

STATUTORY PRESENTMENT AND DEMAND

City of Fall River
Attn: Fall River City Clerk's Office – Alison Bouchard, City Clerk
1 Government Center
Fall River, MA 02722

Re: *Our Client:* *Mary Ann Johnson*

Dear Madam:

This letter of presentment is being sent to you pursuant to M.G.L. Ch. 258 §4, and M.G.L. Ch. 84 §18. Please be advised that I represent Ms. Mary Ann Johnson of 458 County Street, Fall River, MA 02723 with regard to injuries sustained in a motor vehicle accident on October 10, 2020, at the intersection of Plymouth Ave. and Lyon Street, Fall River, MA, due to your insured's negligence.

On October 10, 2020 at approximately 12:00 a.m., Ms. Mary Ann Johnson was a patient traveling in a Fall River Ambulance driven by Mr. Christopher Kirkman. Mr. Kirkman attempted to make a right hand turn with the ambulance from Plymouth Ave. onto Lyon Street. While making the right-hand turn onto Lyon Street, Mr. Kirkman collided with Mr. Serafim Vasconcelos. Mr. Vasconcelos was traveling ahead of the ambulance driven by Mr. Kirkman on Plymouth Ave. Mr. Kirkman attempted to go around Mr. Vasconcelos to make the right hand turn onto Lyon Street, causing the collision. Ms. Johnson was moved to another Fall River Ambulance and taken to St. Anne's Hospital. Please see the attached form for additional information.

Demand - as the client is still treating at this time and the full value of their injuries is unknown, the value to settle this claim at this time is five million dollars, \$5,000,000.00. This demand is being provided according to the requirements set forth under chapter 258, section 4 of The Massachusetts General Laws. Thank you for your anticipated cooperation in this matter.

THE HEAVY HITTER®

11-12-2020
544 Douglas Ave. - Providence, RI 02908 - local: 401-621-7000 - toll free 800-LAW-2201 - www.roblevine.com

city clerk ✓
law Dept. ✓
city Council ✓
mayor's office ✓



RECEIVED

2020 NOV 12 A 11:53

CITY CLERK #20-62
FALL RIVER, MA

15

City of Fall River
Notice of Claim

1. Claimant's name: Geralyn Julian
2. Claimant's complete address: 92 Warren St, Fall River MA 02721
3. Telephone number: Home: 508 642 3922 Work:
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
tire damage from pothole
5. Date and time of accident: 10/28/20 11am Amount of damages claimed: \$ 24.00
6. Exact location of the incident: (include as much detail as possible):
Albert St.
7. Circumstances of the incident: (attach additional pages if necessary):
My tire was punctured by the pot hole
I had it repaired at Henry's Tire
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge:

Date: 11/7/20Claimant's signature: Geralyn Julian

WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

You should consult with your own attorney in preparing this claim form to understand your legal rights. The Office of the Corporation Counsel is unable to provide legal assistance to private citizens.

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☒ City Administrator ☒ DPW Date: 11/12/2020



City of Fall River
Notice of Claim

RECEIVED

2020 NOV 12 P. 4:34

CITY CLERK 20-623
FALL RIVER, MA

15

1. Claimant's name: ISAURA MEDeiros
2. Claimant's complete address: 157 COLLEGE PARK ROAD
3. Telephone number: Home: (508) 676-9579 Work: N/A
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
PROPERTY DAMAGE
5. Date and time of accident: 10-19-20 ABOUT MIDDAY Amount of damages claimed: \$ 6,768.78
6. Exact location of the Incident: (include as much detail as possible):
DOWNSTAIRS FLOOR
7. Circumstances of the Incident: (attach additional pages if necessary):
THE CITY WAS WORKING ON THE SEWER THROUGH A MANHOLE COVER IN FRONT OF MY HOUSE. AFTER THAT I HAD A SEWAGE BACKUP ON MY DOWNSTAIRS FLOOR REQUIRING A RESTORATION COMPANY RECOMMENDED BY THE CITY INCLUDING THE
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

SEE PAGE 2

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge.

Date: 11-5-2020

Claimant's signature: Isaura Medeiros

WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

Return this from to: City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

You should consult with your own attorney in preparing this claim form to understand your legal rights. The Office of the Corporation Counsel is unable to provide legal assistance to private citizens.

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator ☒ Sewer Date: 11/12/2020

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, October 27, 2020 at 7:00 p.m.
Zoom (Virtual Meeting Application) pursuant to the Governor's Declaration of State of Emergency due to the Coronavirus (COVID-19) Pandemic

PRESENT: President Cliff Ponte, presiding;
Councilors Shawn E. Cadime, Michelle M. Dionne,
Bradford L. Kilby, Pam Laliberte-Lebeau, Trott Lee,
Christopher M. Peckham, Leo O. Pelletier and Linda M. Pereira

ABSENT: None

IN ATTENDANCE: None

President Cliff Ponte called the meeting to order at 7:19 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

PRIORITY MATTERS

1. Mayor requesting confirmation of the appointment of David J. Marciello, Esq., MPA as City Administrator

The City Clerk read a communication from the Mayor requesting that the appointment be withdrawn (copy of said letter is attached hereto and made a part of these minutes). On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was voted 9 yeas to grant the communication leave to withdraw.

2. Mayor requesting confirmation of appointments/reappointments as follows:

- a. Luis Ferreira to the Conservation Commission (appointment)

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was voted 9 yeas to confirm the appointment.

- b. Christopher Antao to the Cultural Council (reappointment)

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was voted 6 yeas, 3 nays to table the reappointment, with Councilors Shawn E. Cadime, Trott Lee and Christopher M. Peckham voting in the negative.

- c. Donna A. Valente to the Cultural Council (reappointment)

A motion was made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira to confirm the reappointment. Councilor Michelle M. Dionne stated that she would like to receive more information on the duties and responsibilities of some of these various boards and commissions. She also stated that she would like to receive information as to how many projects were approved for funding and how much funding these projects received. She also stated that since the Cultural Council is in charge of various projects and a great deal of State Funds, she would like to receive

more information prior to a vote. On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Pam Laliberte-Lebeau, it was voted 8 yeas, 1 nay to table the reappointment, with Councilor Bradford L. Kilby voting in the negative.

d. Kathryn Clarkin to the Library Trustees (reappointment)

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas to confirm the reappointment.

e. Fran Rachlin to the Library Trustees (reappointment)

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas to confirm the reappointment.

3. Mayor and order requesting acceptance of the provisions of MGL Chapter 59, Section

2A(a) re: Change of Assessment Date from January 1 to July 1

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas to adopt the order.

Approved, October 29, 2020, Paul E. Coogan, Mayor

4. Mayor and order transferring ownership of the Bank Street Armory, 72 Bank Street to the Fall River Redevelopment Authority

A motion was made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier to refer the matter to the Committee on Real Estate. Councilor Michelle M. Dionne stated that she researched the matter and upon review of the Code of the City of Fall River, Chapter 54, Article III, Section 101 Armory Commission, which states "The Board of Park Commissioners shall have and exercise all the powers, duties and responsibilities of the Armory Commission. The Board of Park Commissioners shall promote the City Armory in a manner which will be most beneficial to the City and shall endeavor to maximize and diversify its use". She then stated that this matter should be referred to the Board of Park Commissioners prior to the City Council voting on the matter and therefore she would consider making a motion to table the matter. Councilor Bradford L. Kilby stated that he would like to withdraw his previous motion and make a motion to refer the matter to Corporation Counsel for review, which was seconded by Councilor Trott Lee. Councilor Linda M. Pereira made a motion to amend the previous motion to include the Preservation Society in the review. Councilor Pam Laliberte-Lebeau stated that she would like to see the matter referred to the Committee on Finance for further discussion and also notify the Historical Commission. Councilor Leo O. Pelletier stated that this is a very complex matter and if it is the will of the Council to refer the matter to the Committee on Real Estate he will schedule a discussion for a full review of the matter. Councilor Linda M. Pereira stated that the matter should be referred to Corporation Counsel as he is currently reviewing the matter and once it is resubmitted by Corporation Counsel, it can then be referred to a committee for further discussion. Councilor Shawn E. Cadime stated that when this matter is discussed, he would like to have a member of the Redevelopment Authority in attendance to answer any questions. He then stated that he would like the City to retain ownership of the property and possibly have a management company manage the property based on what the City would like to see the building used for. Councilor Michelle M. Dionne stated that the Community Preservation Committee has invested over \$390,000.00 in the Armory for repairs to the chimney and roof and there is currently an application pending for an additional \$350,000.00 for repairs to the high roof of the building and all these items need to be taken into consideration, especially if the building is to be sold. On the motion made by Councilor Bradford L. Kilby and seconded by Councilor Trott Lee, it was voted 9 yeas to refer the matter to Corporation Counsel.

5. Mayor and orders approving Conservation Restrictions with the Buzzards Bay Coalition, Inc. as follows:

- a. 861 Indian Town Road
- b. North Side of Yellow Hill Road

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas to adopt both items #5a and #5b.
Approved, October 29, 2020, Paul E. Coogan, Mayor*

6. Mayor and proposed ordinance establishing a fee schedule for utility poles
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was voted 9 yeas to refer the matter to the Committee on Ordinances and Legislation.

7. Fiscal Year 2021 – Quarter 1 Budget Report
On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas to refer the matter to the Committee on Finance.

PRIORITY COMMUNICATIONS

8. Traffic Commission recommending amendments to traffic ordinances
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was voted 9 yeas to refer the matter to the Committee on Ordinances and Legislation.

COMMITTEE REPORTS

Committee on Public Safety recommending:

Grant leave to withdraw:

9. Resolution – Discuss safety concerns on Wilson Road
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was voted 9 yeas that the resolution be granted leave to withdraw.

ORDINANCES – None

RESOLUTIONS

10. Committee on Economic Development and Tourism convene with City Forester to discuss amenities available at the Southeastern Massachusetts Bioreserve Trails
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was voted 9 yeas to adopt the resolution.

11. Committee on Health and Environmental Affairs convene with Administrator of Public Utilities, Dir. of Health and Human Services, Dir. of Community Maintenance and representative of Somerset Board of Selectmen to discuss possible contamination concerns related to the Brayton Point Power Plant Project
Councilor Linda M. Pereira stated that she would like to have the Department of Environmental Protection (DEP) invited to the meeting, as DEP has issued various permits for this project. On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Trott Lee, it was voted 9 yeas to amend the resolution by deleting the Director of Community Maintenance and adding the Harbormaster. On a further motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was voted 9 yeas to adopt the resolution, as amended.

CITATIONS – None

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

12. Order –rescheduling of Committee on Finance and Regular Meetings of the City Council for the months of November and December, 2020
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas to adopt the order.

Police Chief's report on licenses:

2020 Taxicab Driver:

13. Anthony J. Cabral
On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Linda M. Pereira, it was voted 9 yeas to adopt the order.

COMMUNICATIONS – INVITATIONS – PETITIONS

14. Claims
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was voted 9 yeas to refer the claims to Corporation Counsel.

15. Drainlayer License for Equality Construction Works, Inc.
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was voted 9 yeas to approve the license.
Approved, October 29, 2020, Paul E. Coogan, Mayor

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was voted 9 yeas to take items #16 through #19 together.

Planning Board Minutes:

16. September 21, 2020 Meeting

Zoning Board of Appeals Minutes:

17. June 25, 2020 Meeting
 18. June 30, 2020 Meeting
 19. July 16, 2020 Meeting

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was voted 9 yeas that items #16 through #19 be accepted and placed on file.

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Leo O. Pelletier, it was voted 9 yeas to take items #20 through #24 together.

City Council Meeting Minutes:

20. Public Hearings – September 8, 2020
 21. Committee on Finance – September 8, 2020
 22. Committee on Finance – September 22, 2020
 23. Regular Meeting of the City Council – September 8, 2020
 24. Regular Meeting of the City Council – September 22, 2020

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was voted 9 yeas to approve items #20 through #24.

25. Asst. Corporation Counsel re: Open Meeting Law Complaint filed by Collin Dias alleging violation by City Council Committee on Finance on September 22, 2020
On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas that the communication be accepted and placed on file.

26. Communication from Collin Dias re: creation of an Elderly and Disabled Ladder Support program

On a motion made by Councilor Trott Lee and seconded by Councilor Leo O. Pelletier, it was voted 9 yeas that the communication be accepted and placed on file.

BULLETINS – NEWSLETTERS – NOTICES

27. Notice of Casualty and Loss at 662 Weetamoe Street

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas that the communication be accepted and placed on file.

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Leo O. Pelletier, it was voted 9 yeas to adjourn at 8:15 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

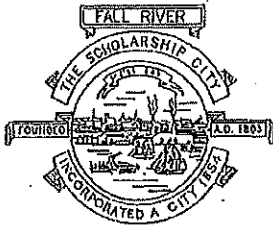
DVD of meeting

A true copy. Attest:

Alison M. Bouchard

City Clerk

18



City of Fall River
Massachusetts
Office of the Mayor

PAUL E. COOGAN
Mayor

October 22, 2020

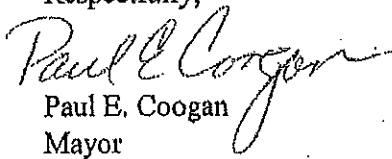
Member of the Honorable Council
City of Fall River
One Government Center
Fall River, MA 02722

City Council President and Members of the Honorable Council,

Based on the attached email I am asking that my request for confirmation of the appointment of David J. Marciello, Esq., MPA be withdrawn from consideration for the position of City Administrator in the City of Fall River.

Thank you for your every consideration with this request.

Respectfully,


Paul E. Coogan
Mayor

PC/amos

18

Paul Coogan

From: David Marciello <davidmarciellolawoffice@gmail.com>
Sent: Tuesday, October 27, 2020 4:42 PM
To: Paul Coogan
Subject: [EXTERNAL] Fwd: Withdrawal of my candidacy for City Administrator

----- Forwarded message -----

From: David Marciello <davidmarciellolawoffice@gmail.com>
Date: Tue, Oct 27, 2020 at 4:30 PM
Subject: Withdrawal of my candidacy for City Administrator
To: Mayor <mayor@fallriverma.org>

Honorable Mayor Coogan,

I thank you for considering me as your next City Administrator. However, I have come to the hard decision to withdraw my name as a candidate. I am a highly trained professional with Bachelors' in Political Science, a Masters' in Public Administration, a Juris Doctorate, 14 years experience as an administrator and 24 years as a lawyer. Additionally, and most importantly, I am credentialed from the ICMA which has the highest ethical standards. Only 7% of Massachusetts public administrators are credentialed due to this rigorous standard.

Given the treatment to which I endured through the recent Council questioning it became evident that this position will not be a good fit for my professional aspirations.

I wish you well in your search.

Respectfully Yours,

David J. Marciello, Esq., MMA ICMA-CM

19

Whereas, The Veterans Association of Bristol County ("VABC") recently received \$100,000 dollars from The City of Fall River for veterans services.

Whereas, a 2017 VABC tax return showed that the VABC spent only roughly 21.3% of its expenses on veterans services and 54.06% on salaries.

Whereas the City of Fall River wants to see the \$100,000 donation used for veterans services only.

Now be it resolved, The Fall River City Council invite a representative of the VABC to a future meeting to discuss where the VABC spends its funding.

Be it further resolved, The Fall River City Council send a request to the Massachusetts State Auditor to investigate the Veterans Association of Bristol County for waste of taxpayer funding.

RECEIVED

2020 NOV - 2 P 2:00

CITY CLERK
FALL RIVER, MA

11/2/2020

Mail - City_Council@fallriverma.org

[EXTERNAL] Communication

19

Collin Dias <collind00@aol.com>

Mon 11/2/2020 1:50 PM

To: City Council <City_Council@fallriverma.org>;

Cc: Trott Lee <tlee@fallriverma.org>;

Good afternoon,

I respectfully ask that this communication be placed on the next Fall River City Council Agenda.

20



OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

RECEIVED

2020 NOV -4 P 3: 26

Please note that all fields are required unless otherwise noted.

CITY CLERK
FALL RIVER, MA

Your Contact Information:

First Name: Collin Last Name: Dias

Address: 560 Ray Street

City: Fall River State: MA Zip Code: 02720

Phone Number: 7747076790 Ext.

Email: Collind00@aol.com

Organization or Media Affiliation (if any):

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

☒ Individual ☐ Organization ☐ Media

Public Body that is the subject of this complaint:

☒ City/Town ☐ County ☐ Regional/District ☐ State

Name of Public Body (including city/town, county or region, if applicable): Fall River City Council Committee on Finance

Specific person(s), if any, you allege committed the violation:

Date of alleged violation: 10/27/2020

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

On October 27th, 2020, The Fall River City Council Committee on Finance approved minutes from its September 22nd, 2020 meeting. The September 22nd meeting minutes that were approved, are inaccurate and are not in accordance of Open Meeting Law section 22 (c). Section 22 (c) of the Open Meeting Law call for a summary of the discussions of each subject. The September 22nd meeting minutes do not include a summary of the discussion of my citizens input, where after my citizens input was read at the meeting, a quorum of the City Council discussed in one way or another my citizens input and citizens input in general. This discussion is not summarized in the September 22nd meeting minutes.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

Revision of the September 22nd, 2020 meeting minutes

Review, sign, and submit your complaint**I. Disclosure of Your Complaint.**

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

Publication to Website. As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: Collin Dineen

Date: 11/4/2020

For Use By Public Body	For Use By AGO
Date Received by Public Body	Date Received by AGO

COMMITTEE ON FINANCE

MEETING: Tuesday, September 22, 2020 at 6:00 p.m.
Council Chamber, One Government Center

PRESENT: President Cliff Ponte, presiding;
Councilors Shawn E. Cadime, Michelle M. Dionne,
Bradford L. Kilby, Pam Laliberte-Lebeau, Trott Lee,
Christopher M. Peckham, Leo O. Pelletier and Linda M. Pereira

ABSENT: None

IN ATTENDANCE: Mary Sahady, Director of Financial Services
John Parry, Director of Community Maintenance

The chair called the meeting to order at 6:00 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

In accordance with a resolution adopted, as amended May 8, 2012, persons are allowed to address the Council for a period of three minutes prior to the beginning or at the conclusion of business in the Committee on Finance.

The City Clerk read communications received from city residents, copies of which are attached hereto and made a part of these minutes.

1. Citizens' Input
Collin Dias, 560 Ray Street – Mary Sahady resignation and trash costs
Erica Scott-Pacheco, 1510 Highland Avenue – Zoning Board of Appeals
CJ Ferry, 300 Buffinton Street – TIF and TIE Agreements

2. Resolution to discuss and review solid waste and recycling
Councilor Michelle M. Dionne asked the Director of Community Maintenance how the City has advanced with regards to solid waste and recycling. The Director of Community Maintenance stated that currently he is gathering information to review the various options. He then stated that he is not prepared to make a presentation tonight, but is working on all the various possibilities and also reviewing various policies of other cities and towns. He also stated that he is reviewing all associated costs for the collection of solid waste and recycling. The Director of Community Maintenance then stated that the collection of solid waste and recycling from businesses is also being reviewed, along with residences with 6 units that may be considered commercial properties. Councilor Michelle M. Dionne then stated that various other communities are being reviewed that are in similar situations, such as not having a pay-as-you-throw program or a household fee. The Director of Community Maintenance stated that there are 351 communities in the Commonwealth of Massachusetts and of those there are only 44 communities that do not have a pay-as-you-throw program, a household unit fee for the removal of trash and recycling or a combination of both. He then stated that most of the 44 communities are affluent communities that can afford to dispose of their trash without fees or they have infrastructure in place to handle

the disposal, such as a landfill. He also stated that the City does not have a landfill or transfer station to assist with the costs associated with the collection of solid waste and recycling, so the City needs to research all possibilities.

Councillor Michelle M. Dionne then asked the Director of Community Maintenance for an update on the plan to remove the blue recycling carts from Fall River Housing Authority properties. The Director of Community Maintenance stated that he has been in contact with Timothy Barrow, the Executive Director for the Fall River Housing Authority, regarding the removal of the blue recycling carts from Housing Authority properties. He then stated that Mr. Barrow is in the process of obtaining proposals from solid waste companies for the collection of recycling from the various properties. Mr. Perry then stated that once that process is complete, the Fall River Housing Authority will determine how recycling will be collected from the various properties and notify the City to either remove the recycling carts or determine payments to be made to the City of Fall River. Councillor Michelle M. Dionne then stated that she will await the decision from the Fall River Housing Authority, as she understands that the process will take time and as long as the process is moving forward, she is agreeable to allowing sufficient time to ensure the process is done correctly. Councillor Trott Lee stated that there should also be discussions regarding the storage of solid waste and recycling carts. The Director of Community Maintenance stated that there was a time when the carts were stored outside at the Lewiston Street Facility and there were many problems with this method. He also stated that in the future the construction of a storage facility will need to be discussed for the storage of carts and other necessary equipment that is weather sensitive. Councillor Trott Lee then stated that there will need to be an information dissemination process regarding businesses that may no longer have their recycling picked up by the City and this may cause an increase of carts to be stored as they are returned to the City. He then asked the Director of Community Maintenance if businesses would be able to retain having the City collect their solid waste and recycling if the business paid a fee for the service. The Director of Community Maintenance stated that these are discussions that need to be had, whether these services will still be provided by the City and if so how much will be charged. Councillor Trott Lee then stated that fees will need to be researched and discussed because the City does not want to overcharge businesses but it also does not want to be severely undercharging. Councillor Leo O. Pelletier asked the Director of Community Maintenance what the cost would be to erect a storage building approximately 30 or 50 feet by 100 feet. The Director of Community Maintenance stated that it would cost approximately \$130,000.00 to \$150,000.00 to construct a storage facility of this size. Councillor Leo O. Pelletier then asked how much the City is paying in the rental of storage space per year. The Director of Financial Services stated that the City is spending \$62,400.00 per year on the rental of storage space as follows:

- Rodman Street - \$19,200.00
- Seabury Street - \$30,000.00
- Montaup Street - \$13,200.00

Councillor Leo O. Pelletier then stated that he believes that the City should construct a storage facility, since it would be paid for in 2 or 3 years with the amounts the City is currently paying in rental fees. He then asked the Director of Community Maintenance if the parcel of property on Bay Street that was transferred to the City could be used to construct a storage facility. The Director of Community Maintenance stated that the Bay Street location cannot be used to construct a storage facility because a brook crosses the parcel. Councillor Linda M. Pereira asked the Director of Community Maintenance if any of the 44 communities that do not have any fees for solid waste collection are gateway communities. The Director of Community Maintenance stated that he would need to check those statistics of all the communities, but he does know that New Bedford does not have any fees for solid waste collection but has a transfer station and an active landfill. Councillor Linda M. Pereira then asked the Director of Community

Maintenance how many years New Bedford will be able to utilize their landfill. The Director of Community Maintenance stated New Bedford has approximately 15 years remaining in the life of their landfill. Councilor Linda M. Pereira then stated that she would like to see more educational outreach to the residents regarding regulations for recycling. She also stated that the Department of Community Maintenance facility on Lewiston Street is in need of cleaning and renovations. Councilor Michelle M. Dionne asked the Director of Community Maintenance if he had obtained any information on machinery that would grind mattresses and sofas to reduce the amount of space required for disposal. The Director of Community Maintenance stated that he had not yet researched this equipment. He also stated that he would share the information on this machinery once obtained.

Citizens' Input Time -- After Discussion of Financial Matters:

None

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adjourn at 6:34 p.m.

List of documents and other exhibits used during the meeting:

Citizens' Input Communications
Agenda packet (attached)
DVD of meeting


Catherine A. Taylor
Clerk of Committees



OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

RECEIVED

Please note that all fields are required unless otherwise noted.

2020 NOV -6 P 1:15

Your Contact Information:

First Name: Patrick

Last Name: Higgins

Address: P O Box 24

City: Swansea

State: MA

Zip Code: 02720

Phone Number: 5086743140

Ext. _____

Email: patrick@patrickhiggins.co

Organization or Media Affiliation (if any): Patrick Higgins and Associates

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

☐ Individual

☒ Organization

☐ Media

Public Body that is the subject of this complaint:

☒ City/Town

☐ County

☐ Regional/District

☐ State

Name of Public Body (including city/town, county or region, if applicable):

Fall River City Council

Specific person(s), if any, you allege committed the violation:

Cliff Ponte

Date of alleged violation:

10/27/2020

emailed 11/6/20 by City Clerk
Open Meeting - Fall River
Page 1 of 2

21

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

The Fall River City Council violated the open meeting law by holding a remote "zoom" meeting on Tuesday, October 27, 2020 and not announcing who the members of the City Council were that were participating remotely. See 2020-138

There were several other people who were logged into the zoom meeting who were not commissioners and the general public would not be sure who all were the Members and who the non-members were.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

Keep up to date with all determinations of the Division of Open Government (located at <https://massago.org/online.com/MASSAGO/1801PublicAccess2/qml.htm>) and comply with all determinations.

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

Publication to Website. As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

II. Consulting With a Private Attorney.

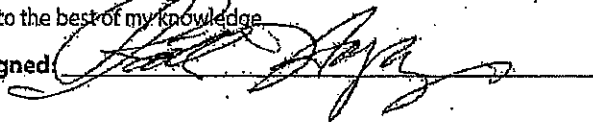
The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed

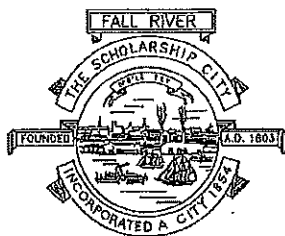


Date:

11/5/2020



5a



City of Fall River
Massachusetts
Office of the Mayor

PAUL E. COOGAN
Mayor

October 14, 2020

Honorable Members of the City Council
One Government Center
Fall River, MA 02722

RE: Cultural Council

Mr. President and Members of the Honorable Council:

I hereby request the confirmation of the City Council for the following reappointment:

Christopher Antao
1510 Highland Avenue
Fall River, MA 02720

as a member of the Cultural Council, with a term commencing 10/14/2020 and expiring 10/14/2023.

Thank you for your favorable consideration in this regard.

Paul E. Coogan
Mayor

CITY OF FALL RIVER
IN CITY COUNCIL

OCT 27 2020

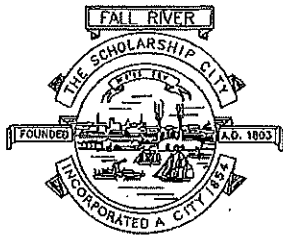
Tabled, 10 years, 3 days

CITY CLERK
FALL RIVER, MA

2020 OCT 15 A 10:49

RECEIVED

5b



City of Fall River
Massachusetts
Office of the Mayor

PAUL E. COOGAN
Mayor

CITY CLERK
FALL RIVER, MA

2020 OCT 15 A 10:49

RECEIVED

October 14, 2020

Honorable Members of the City Council
One Government Center
Fall River, MA 02722

RE: Cultural Council

Mr. President and Members of the Honorable Council:

I hereby request the confirmation of the City Council for the following reappointment:

Donna a. Valente
136 Garden Street
Fall River, MA 02720

as a member of the Cultural Council, with a term commencing 10/14/2020 and expiring 10/14/2023.

Thank you for your favorable consideration in this regard.

Paul E. Coogan
Mayor

CITY OF FALL RIVER
IN CITY COUNCIL

OCT 27 2020

Tabled, 8 years / may

